HV
86
R475s
1943

HV 86 R475s 1943

02730790R

NLM 05019513 5

NATIONAL LIBRARY OF MEDICINE

NATIONAL LIBRARY OF MEDICINE

Washington

Founded 1836

U. S. Department of Health, Education, and Welfare

Public Health Service

HV86
.R52
1943

Library
National Institute of Health
Bethesda, Maryland

NATIONAL INSTITUTES OF HEALTH

SUPPLEMENTARY REPORT

[Rhode Island.

STATE COMMISSION ON PUBLIC WELFARE INSTITUTIONS

CLEMENS J. FRANCE, DIRECTOR

DEPARTMENT OF SOCIAL WELFARE
AND
MEMBER OF THE COMMISSION

NATIONAL
JAN 28 1958
MEDICINE

Library
National Institute of Health
Bethesda, Maryland

Rhode Island.

SUPPLEMENTARY REPORT

STATE COMMISSION ON PUBLIC WELFARE INSTITUTIONS

CLEMENS J. FRANCE, DIRECTOR

DEPARTMENT OF SOCIAL WELFARE

AND

MEMBER OF THE COMMISSION

HV
86
K475s
1915

028579

C-2 D37

TABLE OF CONTENTS

INTRODUCTION

(a) Synopsis
(b) Charts

CHAPTERS

I	Prevention	37
II	Division of Corrections	66
III	Division of Mental Hygiene	120
IV	Division of Hospitals	155
V	Division of Child and Juvenile Welfare	167
VI	Institutional Personnel	177
VII	Major Points of Agreement and Difference between Majority Report and Supplementary Report	185
	Conclusion	193
VIII	Supplementary Report by Harry L. Jacobs	319

APPENDICES

I	List of Reports of State Commission and National Research Organizations	200
II	The Proposed Correctional Authority	204
III	Nature and Character of an Integrated Program	220
IV	Education under The Correctional Authority	235
V	Diversified Institutions under The Correctional Authority	240
VI	Prevention at the Point of Youth	246
VII	Minority Report of C. J. France Dissenting from Recommendations for Closing Reformatory for Men	254
VIII	Reply to the Majority Report on Alleged Deficiencies of the State Hospital for Mental Diseases	265
IX	Menace of Mentally Defective Delinquent—Statement of John E. Donley, M. D.	296
X	Endorsements of Proposed Correctional Authority Outlined in Chapter II	300

SUPPLEMENTARY REPORT
STATE COMMISSION
ON PUBLIC WELFARE INSTITUTIONS

CLEMENS J. FRANCE
Director, Department of Social Welfare
And
Member of the Commission

Introduction

Social Perspective

This is a report which deals with our **State Institutions.**

"**Institution**" is a rather big and somewhat formidable word. It is also, to a degree, a cold word. The word "institution," as defined in the dictionary, has two connotations. First, it is an organized body for carrying out certain objectives:—**social, religious,** or **educational;** second, it is a building or buildings in which to carry on the work of the particular organization. For example, the church is a religious "Institution." The Cathedral or Temple is the building. So, our public school system is an "Institution," organized to educate children and youth. The large, modern high school structure, like Hope High School, is a building.

It is of the utmost importance not to confuse "**bricks and mortar**" with social organization and social objectives. There is an old adage, "Stone walls do not a prison make." Likewise, a fine Temple or a beautiful Cathedral in themselves do not constitute a religion; nor a magnificent high school, an education; nor a group of hospitals, the healing of the sick. The priest the educator, the doctor,—the spiritual ideals, the educational objectives, the medical knowledge and skill—these, we well know, are "**the Heart,**" these, "**the Life Blood.**" For it is the human contact, the touch of the hands, the twin lights of thought and knowledge, which make or break an institution. In this sense, institutions have warmth, a comfort and healing. They exist for "people," the human needs of "people," whether those needs be spiritual hunger and thrist, or the need for physical care, the healing of wounds to the body or the mind.

This human conception of State Institutions is so fundamental, I may be pardoned if I elaborate upon it. Let us take a look at Howard.* There live there, in our Institutions, some five thousand people. I like to think of these people as guests of the State, who have found the haven of a sanctuary or a "Retreat" from the buffets and storm of Life. "Hospitality" is a fine word. It stems from the same root as another fine word, "Hospital." There is no virtue in this feeling of mine. I live at Howard. These "guests," to whom our State gives hospitality and sanctuary in our State Hospitals, are my close neighbors. Many of them are not only my neighbors, but my friends. If you who read this report lived at Howard, I am sure you would feel as I do.

One of my friends has passed on to her Reward. You would have been proud, as I was, to know her and call her "Friend." She was a "Sword Swallower." In the early days of P. T. Barnum's "Greatest Show On Earth," she was one of Barnum's most sensational performers. She gave her performance in every city and town in America. She went with Barnum and his circus to Europe, and performed in every great city on the Continent. I shall never forget her telling me of when she was entertained by Royalty. She gave a special performance in Buckingham Palace before the late King Edward, son of Queen Victoria.

In her later years, she returned to Rhode Island, her native State, to die. She had little of worldly goods, but a rich storehouse of warm and beautiful memories, for had she not been the delight of hundreds of thousands of children, and grown-up children, too.

When I knew her at the State Infirmary, she was a fascinating old lady, mellow and sweet and kindly. To be in her presence was to participate in "Grace" and Graciousness. I was thankful, then, that we, in Rhode Island, had changed the name of that Institution from The State Almshouse to The State Infirmary; and the character, too, from a "run-down poorhouse" to a modern, well equipped, well staffed Hospital.

May I speak of just two more friends at Howard. One was, until recently, a patient at the State Hospital for Mental Diseases.

*"Howard" is here used in a generic sense, and includes Exeter, Wallum Lake, the Soldiers' Home, and the State Home and School.

He was one of the most talented and accomplished organists in New England. He was possessed with all the sensitiveness, imagination and charm common to most artists and musicians. You would have been proud, too, to call him "Friend" and "Neighbor."

My best friend of these wards of the State is in the State Prison, serving a long sentence for manslaughter. He is reported to be one of the best radio experts in the United States. He writes for scientific journals, and has been consulted by several of the leading radio experts in the country. He exerts great influence for good inside those forbidding high stone walls. He is President of The Holy Name Society which, with the aid of Father Jean, he has built up to an organization of ninety men. He conducts classes in radio transmission, and some of his students, former Reformatory boys, are today overseas in the Signal Corps of the United States Army. I am proud to call this man "Neighbor" and "Friend," even as you would.

These are but three examples, to illustrate that every one of the five thousand men, women and youths in our State Institutions is an individual. The community at Howard, like any other community, is composed of men and women, each one a person possessing that mysterious quality we call "Personality." Some have genius, some have high professional training, some are skilled mechanics, some are housewives and mothers.

If the reader of this report would try to visualize one of his own personal family—father, mother, son—at Wallum Lake or the Mental Hospital, he would understand. In passing, may I say "the turnover" is large. The population constantly changes. It is reasonable to assume that in the course of a ten year period twenty to thirty thousand such individuals come to Howard.

Once upon a time, such people were thrown into certain general classes—"**the insane,**" "**the pauper,**" "**the idiot or imbecile,**" "**the criminal.**" This was an over-simplification. It had certain deplorable social consequences. The average citizen looked upon "**the insane,**" "**the pauper,**" "**the criminal**" as something inevitable—a sort of necessary evil, so to speak. We segregated them from society "like pariahs;" we grudgingly supported them "en masse," and then forgot them.

There were always exceptions to this general attitude of the public. The husband whose wife was ''committed'' to ''The State Asylum for the Insane'' found it difficult to reconcile himself with this prevailing point of view. He could not say, ''This woman is in a 'madhouse'. Nothing can be done about it.'' He remembered her as a young, lovely bride. He remembered each of the five normal, healthy children she brought into the world. He remembered what a mother she was,—**what a mother.** He knew better than anyone the strain of her life financial strain, trying to make his all too meagre earnings go around in order to house, feed, clothe and educate five boys and girls. She raised them. Then came the period—we call it ''change of Life''—a critical period for every woman. The strains of the past told. She was ''committed'' to an ''Insane Asylum.''

I have been speaking in ''the past tense.'' There has been a change. I do not believe there is an ''Insane Asylum'' left in the United States. In all the larger states, we have State Departments of Mental Hygiene, and State Hospitals for Mental Illness or Disease.

Institutional Progress

Not more than seventy years ago, one of the great surgeons said, ''**The brain will be forever shut from the intrusion of the wise and humane surgeon.**'' I have been told of a famous painting, which I understand is in the Louvre in Paris, which pictures the ''insane asylum'' as it was regarded by the general public even within the lifetime of many readers of this report. The picture shows the mentally ill chained by their wrists and legs to the walls, but even then something happened, for the painting depicts a group of supervisors in the hospital with hammers in their hands, knocking off the chains from these so-called insane people.

In the past fifty years, we have progressed from chaining the mentally ill to a point of view where the skilled psychiatrist and a growing number of citizens recognize that there are many types of what we used to call, so glibly, ''insanity,'' which are today subject to cure.

The scientific progress in the field of psychiatry points out two significant facts: first, that in an ever-growing area, mental illness can be cured; and second, that in the cure of the mentally ill, psychiatrists have learned a great deal about the psychology of "normal" individuals. Many of us who consider ourselves perfectly normal have behavior patterns which are quite akin to the behavior patterns of those we describe as insane.

We well know that many physical diseases which, fifty years ago, were considered to be incurable, have, by reason of the advance of modern science, proven to be curable. I doubt if there is a progressive man in the sciences of Medicine, Bacteriology and Bio-Chemistry who would say, today, that there is scarcely any physical disease which may not ultimately be cured. Those dealing with mental diseases have their eyes, today, on the same constructive horizon.

In an address before the American Public Health Association on October 12, 1943, Mayor LaGuardia of New York City outlined the constructive steps which have been taken in the City of Greater New York in the field of prevention of the spread of tuberculosis. He spoke about the plans which New York City had, in the post-war world, for eliminating the slum and overcrowding in certain sections of Greater New York which were breeding places for tuberculosis. He predicted that it was possible, providing there was proper cooperation between the federal government and the various states of the union, to eliminate this scourge on the body politic within the next twenty years.

When we get into another area, that which deals with the criminal, we find, surprisingly enough, that here again science is at work; that specialists in the fields of human behavior have a growing confidence that by a proper understanding of "crime" and the "criminal" we can achieve to great degree here what we have achieved in the medical and mental fields. We can eliminate, or at least greatly curtail, what we call "crime."

More and more, we are coming to recognize that every type of individual who finds himself in one of our State Institutions presents a scientific problem, and that it is, in the great majority of cases, a solvable problem. There are, also, individual problems, which require individual diagnosis and treatment,

and this is true in the case of "the morally ill" (the criminal), as it is of the physically ill or the mentally ill As this report will show, we use the terms "crime" and "criminal" too glibly, just as we once used the term "insane."

We are also coming to recognize that, by a scientific approach to these unfortunate individuals in State Institutions and by the application to them of the most advanced scientific knowledge, we will learn,to an increasing degree, many useful and constructive lessons with respect to those of us who are fortunate enough to have escaped the institution. For example, just as modern psychiatry, in its scientific treatment of the so-called insane, learned a great deal about the erratic behavior of a great many so-called normal people, we are finding, today, by scientific study and application of scientific principles to the "criminal," so-called, that we can learn many useful lessons with respect to ourselves. In learning those lessons, perhaps we may achieve a higher degree of social understanding and a more dynamic social conscience. All individuals with anti-social conduct, destructive to society, do not find themselves behind prison bars.

We are priviledged to live in one of the most remarkable historical epochs that has existed during the long history of the human race, from primitive savagery up to our present stage of civilization. One thing should be clear to everyone, and that is, in spite of our vaunted civilization, the human race is still both emotionally and intellectually immature. It should be obvious that, if the human race were emotionally and intellectually mature and spiritually developed, we would not have two World Wars in one generation. It is extremely interesting that a considerable number of individuals whom we find in our institutions are different from the rest of us only in the fact that they are less mature, more unstable emotionally, than the average citizen. Our own maturity is not so great that we can afford to look down upon others.

Democracy at the Crossroads

It is important we consider the problem at hand in connection with this critical epoch in history, an epoch in which great changes impend.

I quote a significant statement made by the Honorable G. Howland Shaw, Assistant Secretary of State, former President of the American Prison Association, and a lifelong student of the subject of Delinquency and Crime. This statement was made by Mr. Shaw at the Annual Congress of the American Prison Association in 1941. Mr. Shaw said:—

> "...Time and again in the past two years we have been told that we are faced with a crisis of momentous proportions, that we must make an all-out effort and that we are living at a turning point of history. Many of us have been aroused, but many are still more or less incredulous, more or less uncertain as to the meaning of such terms as 'crisis,' 'all out-effort,' or 'turning point in history,' at least when such terms are applied practically and specifically to the world in which we wake up in the morning, eat breakfast, go to work, enjoy the movies or a baseball game, or do any one of the hundreds of other things which make up the daily life of the normal American. Now what in last analysis do these terms mean? Simply this—that our ideas, our ideals, our traditional way of life are being challenged by a very different set of ideas, ideals and way of life and that this challenge has resulted in a conflict the extent and future character of which cannot now be fully forseen but the fundamental reality of which is with us today.
>
> **"It is a fact that there is no governmental function, no economic or social process which is not at the present time being tested and tested as never before in our our history because of this challenge and by this conflict.** We are but dimly aware that we are being subjected to a test and that its results will soon become apparent. We still like to think and talk of defense vicariously and too exclusively and narrowly in military terms; we are often intent on figuring out how little we need sacrifice for the ideals in which we claim to believe and it is debatable whether we bring to bear upon our public duties—whatever those duties may be—the greater degree of efficiency, the more sustained unselfishness and clear recognition of the significance of our particular task in the total defense effort

which the present crisis demands. That is a sobering picture for all of us, for one thing is certain: if our democratic way of life is to survive and be perfected, it will do so, not because of some mysteriously inherent power of automatic self-defense or self-perpetuation with which it has been invested by our forefathers, **but because of what we are and of what we do. We must be able to meet the test of History.''**

Let us remember that in this crisis in world history, America today, and even more tomorrow, is ''**the great testing ground of Democracy.**'' Rhode Island, the land of Roger Williams, is such a testing ground. Let it be said, when the history of this period is written, that Rhode Island was one of the greatest, one of the finest, ''**testing grounds of Democracy.**''

I am sure this desire to play a major role in the ''testing ground of Democracy'' was what motivated Governor McGrath to appoint this Commission in the first instance. It was the Governor who appointed, in 1941, a Commission to study the whole problem of relief and its administration in this State. It was he who, with the support of a progressive General Assembly, put on the statute books a new General Public Assistance Law. As a result, Rhode Island is recognized as leading the nation in the field of public assistance to the aged and the needy.

Having achieved this, the Governor turned his mind to the improvement of our State Institutions and related agencies.

Scope of Study

It is important, at this point, to clearly understand the area embraced in this study. The resolution passed in the January 1943 session of the General Assembly provides for:—

''1. A study of the present conditions and future needs of the State Institutions. These institutions are The State Hospital for Mental Diseases, The State Infirmary, The State Prison and Providence County Jail, The Reformatory for Men, The Reformatory for Women, Sockanosset School for Boys, Oaklawn School for Girls, Exeter School, State Home and School, Soldiers' Home and the State Sanatorium at Wallum Lake.

"2. A study of the Probation and Parole system of the State.

"3. A study of such state agencies which directly affect or are affected by the present conditions and needs of the State Institutions now within the Department of Social Welfare."

It does not require much reflection to see at once that a very broad field of study, investigation, research and planning is opened up by this resolution.

Permit me, however, to give one illustration:—

Correctional Institutions. . . It is, or at least should be, manifest, you cannot make a long-term program with respect to the State Prison, the Men's Reformatory, or our juvenile correctional institutions, Sockanosset and Oaklawn Schools, without consideration of what happens "before" the individual is "committed" to a correctional institution and what happens "after" he is conditionally released "on parole."

In a correctional institution, the agencies of Criminal Justice are deeply involved. The arrest, the trial, the conviction, the sentence are deeply involved. So, also, is deeply involved the system of release, Pardon and Parole, and supervision after "release." So, also, is deeply involved another public agency, viz., our State Department of Education and our City and Town School Systems (financed in part by State funds). We find, flowing into juvenile institutions, into the Reformatory for Men and the State Prison, (1) a high percentage of boys and men who have had no more than an eighth grade education; a very considerable percentage who have had less than an eighth grade education. (2) We find a considerable percentage of feeble-minded in all our penal and correctional institutions. We find an even higher percentage in our correctional institutions whom psychologists describe as of "dull intelligence"

What has been said with respect to the correctional institutions applies, to a greater or lesser extent, to the State Hospital for Mental Diseases, to the newly proposed Clark General Hospital (now The State Infirmary), to Exeter School, and to The Wallum Lake Sanatorium.

The whole crux of the institutional problem is that these State Institutions represent, very largely, the failures of organized society.

Justin Miller, Associate Justice, U. S. Court of Appeals, Washington, D. C., in an address before The American Prison Association, makes this focal point clear:—

> "Those who are charged with the custody and control of persons convicted of crime occupy, in the field of crime treatment, much the same position as do the pathologists in the field of disease treatment.
>
> "After organized society has failed—through its homes, schools, churches, hospitals, industrial organizations and other institutions—safely to integrate certain of its members into its conventional structure, or to protect them against the savage impacts of a ruthlessly individualistic and competitive way of life, it turns over to custodial officers, not merely the physical bodies, but the twisted mentalities of inadequate personalities of its victims; **in other words, comparatively speaking, it turns over to them the diseased tissues of the great body of human society**..."

We, in the institutional field, are expected to take these "diseased tissues of the great body of human society" and perform miracles. I say, "we are expected to perform miracles" after organized society has failed. By some of our people, we are. By others, perhaps the great majority of our citizens, we are not. These latter take the defeatist attitude. But not so the father or mother, the husband or wife who has one of his loved ones, perhaps the breadwinner, committed to the Mental Hospital or the State Prison; not the fathers and mothers whose sons have been committed by the courts to Sockanosset or the Men's Reformatory.

The attitude of the general public in Rhode Island with respect to State Institutions is, by and large, a "**negative**" attitude, rather than a "**positive**" attitude. Because of this, State Institutions are not regarded as an integral part of the body politic, but as something extraneous thereto. To illustrate what I mean, every citizen in the State recognizes the important, positive and constructive functions performed by the Rhode Island

Hospital. We recognize this fine hospital for physical ailments as something essential to us, even as is one of the fine public roads over which we travel. It is interesting to recall that, fifty years ago, a considerable part of the general public had the same feeling of dread and apprehension with respect to going to a General Hospital as the public now feels with respect to a Mental Hospital or a Penal Institution.

In this Supplementary Report, an attempt will be made to show that our State Institutions are as much a part of the community or social body as is a fine private hospital like the Rhode Island Hospital or any of the great hospitals in the country. They exist to **conserve,** and where possible, **reconstruct** broken human lives. This is going to demand, on the part of the readers of the report, a degree of perspective and open-mindedness to new ideas, and a positive instead of a defeatist attitude.

Positive Attitude

It has been customary, in the past, to refer to the four "D's";—**Dependency, Deficiency, Disease, Delinquency.**

These four "D's" are the sources from which people flow into the Social Welfare Department: to our Institutions, or to our Welfare Services.

There is another point of view. We look now to four "P's":— **Prevention, Preservation, Progression, Production.** Note the four "D's" spell Defeatism; the four "P's" spell Creative Success.

We can change from "Defeatism" to "Creative Success." To do so, we must utilize to the full modern scientific knowledge and the scientific techniques developed in several important sciences:—Psychology, particularly the psychology of Behavior; Psychiatry, the science of Mental Hygiene and Therapy; Sociology, the science of the Community, community behavior and family behavior; the science of Medicine and the related science of Public Health; the science of Physiology, and the closely related sciences of Nutrition and Bio-chemistry; the sciences of Criminology and Penology.

Future Role of Social Sciences

Combined, most of the foregoing sciences have come, today, to be classified as "**The Social Sciences,**" as distinguished from the Physical Sciences and as also distinguished from the science of Political Economy. There are those who believe that these Social Sciences hold, for the coming century, as great promise for achievement in the onward march of civilization as the Physical Sciences, in the past century, played a major role in laying the foundation for modern technololgy.

One of the great pieces of evidence in support of the role the Social Sciences will play in the coming century is the dynamic quality of these Social Sciences. We find the individual men in these Science have formed national organizations. May I mention a few of these:—

The National Committee for Mental Hygiene
American Psychiatric Association
American Association on Mental Deficiency
American Prison Association
Public Administration Service
American Public Welfare Association
American Association of Social Workers
American Parole Association
National Probation Association
Child Welfare League of America
American Association of Psychiatric Social Workers
American Association for Applied Psychology
The American Law Institute
American Public Health Association
American Sociological Society
American Medical Association
National Committee of Health Council Executives
Family Welfare Association of America
The Osborne Association, Incorporated
The Social Science Research Council

Each of these organizations publishes its own scientific publication and bulletins. Most of these associations carry on programs of research and planning. Each has special committees studying specific problems. Each has its annual meeting. The

interesting fact with respect to these associations is that they are not primarily academic in character. The membership of these respective associations is made up largely of public officials actually engaged in the administration of State Institutions, of public health services, and of public and private social welfare agencies. We can, therefore, visualize a picture in which scientific men and experts in particular fields are working, day in and day out, in institutions, for example. Yet, these public officials are not working alone. They are definitely tied up with national associations and scientific research organizations in their respective fields.

There is a two-way flow of information from the institutions into the national associations and back to the institutions (1) through scientific publications and bulletins, and (2) through annual meetings of a highly objective and scientific character. More and more, the individual institutions are becoming laboratories in which this combined knowledge of all of the administrators is applied, to a greater or lesser extent, in the individual institutions. The same is true, also, of welfare agencies.

A Program of Action

As the peripheries of each of these Social Sciences expand, they first begin to touch, and then to merge with, related Social Sciences—psychology with medicine; mental hygiene with criminology; sociology with all four—out of which emerges an integrated social philosophy and a more closely co-ordinated approach and methodology. As a result, there has developed a Program of Action, which is common to every one of the groups herein mentioned. All are agreed that the essential elements in any program are:—

1. Prevention
2. Diagnosis
3. Treatment, if the trouble is a physical or mental ailment, and Rehabilitation, if the trouble is a social ailment. (Institutions)
4. Release into the community from institutional care and custody in the case of an institution, or Full Rehabilitation in the community where a welfare agency has had supervision over an individual or has been giving an individual financial assistance.

5. Post-Institutional Supervision for a long or short period.

One thing is abundantly clear, that such a program dealing with individuals for whom the State assumes responsibility must be "**an integrated program,**" with the community of the State an active participant. It follows, from this idea of "**integration,**" that any State Institution is **only one implement or tool in a total process.** Upon this, without exception, practically every scientist and expert is in agreement. To treat, therefore, any given institution in "**isolation**" is contrary to every modern concept with respect to the right scientific and public administrative approach.

This Supplementary Report will start, therefore, with a discussion of what is regarded as the most important of the essential elements in a well-rounded program, namely, "Prevention." Having dealt with "Prevention" in broad and general terms, the report will pick up the social objectives with respect to various individuals for whom the State finds it necessary to assume responsibility, either temporarily or permanently,—in some cases care and custody in an institution, in others non-institutional care and supervision.

To realize the importance of this **community approach** as distinguished from the institutional approach, the following statement by George S. Stevenson, M. D., Director of the National Committee for Mental Hygiene, well illustrates the point of view which will be followed throughout this report as it deals with specific problems. Dr. Stevenson was speaking to a group in the State of Virginia. He said:—

> "Virginia, the state in which we are meeting today, has among her two and a half million citizens some 12,000 who need her special mothering (the mentally ill). Let us for the moment, however, forget this number. Let us think of just one of these citizens. What were his potentialities as a child? What caused these potentialities to be lost?

What problems did he create in his home and his community? What disadvantages and delays did he experience in getting to the hospital? Were formalities and cruelties of court procedure a deterrent to early treatment? Did the public attitude toward mental illness delay his family's admission of the seriousness of his difficulty? What does he need to get well? What does he need to get back to his community? What does he need to stay well? What support, material and moral, does his family need in his absence? See how **complex this one case is. See how it points to public education, public health, local clinical services, local hospital services, court procedure, public opinion, therapeutic facilities in a mental hospital, social service in preventive clinical work...**" (Italics mine.)

This type of approach is quite different from the approach of my associates on this commission who have, to a large extent, restricted themselves to a consideration of the institutions as isolated utilities. In my opinion, approaching the problems of the mentally ill and the socially maladjusted **purely from the institutional point of view** has resulted in placing the report of the majority members of this Commission in too narrow a framework. As a result, the picture within the frame is incomplete and leaves us without a constructive social and scientific **program** looking to the proper treatment, cure and rehabilitation of those who are afflicted with a physical or mental ailment, or those afflicted with social maladjustment.

It is of the highest importance to realize that this broad approach looks to two social goals: (1) **to prevent citizens like ourselves from getting into the care and custody of the State in the first place;** (2) **to get those whom it is found necessary to place in an institution out of institutional care and custody at the earliest moment when it is safe to release them—safe from the standpoint of the community and safe from the standpoint of the individual released.**

Reduction of Institutional Population

It is apparent that if such a goal were fully achieved we would largely do away with such institutions as exist at Howard and other places in the State, supported by public taxation. It may

be that we will never achieve such a goal. It is important to bear in mind, however, that in the State of Rhode Island we have already gone a long way in reaching such a highly desirable goal. May I cite three examples:—

In the year 1890, after a great deal of agitation on the part of the public, the State Home and School was opened to take care of neglected and dependent children. For a number of years, that was the only tax-supported State agency which made provisions for this most unfortunate group of children. Subsequently, the Children's Bureau was established in this State. At one time, The State Home and School had a population of neglected and dependent children as high as 412. At the time of this writing, the State Home and School has a population of 110 neglected and dependent children. This, however, does not account for all the neglected and dependent children under the care and supervision of the State. Under the supervision of the Children's Division, we have, as of the date of this writing, 1374 boys and girls under eighteen years of age in foster homes. The State pays to the foster parents the basic rate of $5.00 a week for the care of these children in a home environment. The children are not just deposited in a foster home and forgotten, but are continually supervised by skilled social workers in the Chidren's Division

In addition to the foster home program within the Children's Division, we have, within the Division of Public Assistance of the Department, what is known as "Aid to Dependent Children." This program which, on a national scale, is made possible by the Federal Social Security Act, makes available grants-in-aid to all of the forty-eight states including the State of Rhode Island, to give financial assistance to mothers who have dependent children. By this program, in Rhode Island, we are giving major support to approximately 3000 children.

Thus, we see 110 dependent children cared for in the Institution, but nearly 4,400 cared for either in their own homes or in "Foster Homes." Just above, we made a statement that there were two goals, two focal objectives in this Institutional Problem:—

(1) Prevention. To keep our fellow citizens out of State custody or care.

(2) To return those in Institutions to free society at the earliest possible moment.

The Child Welfare program of Rhode Island shows it can be done for children. Can it be done for others? Yes! For in Probation and Parole we have a second telling example. In case of "**Probation,**" we keep "offenders" **out** in free society. In case of "**Parole,**" we release them. In both cases, the convicted man is under close supervision.

As of this writing, we have in Rhode Island, **2,480** individuals convicted of crime on Probation and Parole, compared to **745** in all our correctional institutions.

Let us take a third illustration. We have in Rhode Island 12,147 men and women receiving Old Age Assistance and Old Age & Survivors Insurance. They live in their own little homes, or in convalescent homes. Compare this with 600 aged individuals in the State Infirmary.

Summing up the data on this point of reduction of population in three of our State Institutions—the State Home and School, the Correctional Institutions and the State Infirmary—we find a total of 1,455 individuals now in institutions as compared with 19,000 outside. Those outside might well have swelled our institutional population by several thousand. To meet this, the capital outlay for new buildings would have been enormous.

Equally great would have been the annual operating cost. Take as an example the correctional institutions. From the standpoint of the taxpayer, it costs on an average of $566.39 a year to keep a man or a boy in a correctional institution, as against $42.63 a year to supervise the same man or boy on Probation and Parole. It is apparent, therefore, that if all of those now on probation and parole were in our correctional institutions it would costs the taxpayer of this State $1,298,924 more than it does under our present system. We would also have reqiured large capital expenditures for additional correctional institutions.

It may be said that every specialist in the correctional field is of the opinion that prisons, reformatories and correctional institutions for juveniles, as presently conceived and operated, by and large, are probably doing more harm than good for a sub-

stantial percentage of those committed to them. Too often, they are breeding places for crime and delinquency rather than institutions for the cure and rehabilitation of socially maladjusted individuals.

We thus see significant progress in every one of our institutions toward this goal of keeping people out of institutions and toward releasing them under proper supervision at the earliest moment it appears safe for the community and for the individual released. From my experience as Director of Social Welfare, from my study of what has been done in other progressive states, I am satisfied that we have only scratched the surface of what is a great field for conserving State revenues in this field of reducing institutional population.

One highly important aspect of a program which looks to the reduction of institutional population by placing out wards of the State or those convicted of criminal offenses in society under proper care and supervision is that it opens greater opportunities for individual treatment as distinguished from "mass" treatment with respect to those who remain in institutions. Large institutional populations, with over-crowding, are the greatest obstacle to individual treatment which looks to cure in case of physical or mental illness or rehabilitation in case of the moral or social illness of offenders against the criminal law. Every expert and specialist is agreed that highly individualized special treatment cannot be readily achieved in institutions having large populations. By the same token, by reducing the institutional population and cutting down the cost incident to large populations, the State can afford to spend more money on a higher type of personnel. The net result of a better type of individual treatment would be earlier release from the institution, which again would cut down the overhead cost.

The most fruitful field of all lies in a community organization, so organized that we will catch the potential institutional cases when the first germs of trouble appear, and not wait until one of us, and it may be any one of us who are citizens of this State, becomes a social derelict, representing what Justin Miller, Associate Justice of the United States Court of Appeals, described as **"the diseased tissues of the great body of human society."**

It is a significant fact that this method of approach, which first looks to **Prevention** so that our fellow citizens will not find themselves committed to institutions, and second which looks to scientific methods of treatment and rehabilitation so as to release them from institutions at the earliest possible time under proper supervision for a period, brings together two major objectives in public administration: (1) Conservation of State revenues, which is of great interest to all taxpayers; (2) It more nearly meets the social objective of caring for the health and welfare of our fellow citizens when they need the care of the State. It is rare, indeed, that these two objectives, which are often in conflict, can march together, hand in hand.

I believe every citizen of our State would have been proud if he could have listened in on a conference held in my office only yesterday. I received a call from Mr. Yulin Hsi, a member of the National Chinese Government. Mr. Hsi came to the the United States as an accredited member of his Government, and as a personal representative of Generalissimo Chiang Kai-shek. His purpose was to study public administration in the United States, on the federal, state and municipal levels. He bore a letter to me from a prominent official of the American Public Welfare Association, an organization closely affiliated with the American Society for Public Administration. Mr. Hsi told me he was recommended to come to Rhode Island because he was advised that in the Public Assistance field we had the best, the most progressive Social Welfare Department in the United States.

So, we lead the country in our laws dealing with Public Assistance and Relief of those in want.

Shall we now assume leadership in this nation with respect to our State Institutions?

One of the many notable books which have come out of this critical period in the history of the onward march of the human race is a book entitled, "Conditions of Peace," by Professor Edward Hallett Carr of the University College of Wales and a leading columnist on The London Times. Looking to the future, Professor Carr said:—

> "The Old World is dead. The future lies with those who can resolutely turn their backs on it and face the New World with understanding, courage, and imagination.
>
> "The first moral for Victory in the present War is not to look backwards to guide the post-war settlement... History shows that the one thing War never does is to maintain or restore the status quo."

This statement recalls the statement hereinbefore given from an address by the Honorable G. Howland Shaw, Assistant Secretary of State, to the effect that democracy is being today subjected to the most severe test it has ever faced since our own American Revolution and the Declaration of Independence. If there was ever a period when leaders should challenge the great body of citizens who constitute the living forces in a democracy, this is the time to make such a challenge. It is my Faith that the rank and file of the people in our own State are ready today, as never before in the history of Rhode Island, to move forward to newer and higher grounds in this fascinating field,— "HUMAN WELFARE."

May I close this introduction with the words of Victor Hugo:—

> "There is one thing stronger than all the armies in the world; and that is **an idea whose time has come.**"

It is the purpose of this Supplementary Report, in future chapters, to show that "the time is ripe" for a new social perspective on the part of the people of this State with respect to these highly important institutions. I am confident that the adoption of the program herein proposed would place Rhode Island at the head of the forty-eight states of the union in dealing with every type of individual to whom it is found necessary to give institutional care or custody. The individuals who come to these institutions are people, just like ourselves. No field is more fruitful. By constructive community organization, we can prevent thousands from ever getting to the point where institutional care or custody is necessary. By the application of modern scientific knowledge and methods, we can cure and rehabilitate other thousands who find themselves in these insti-

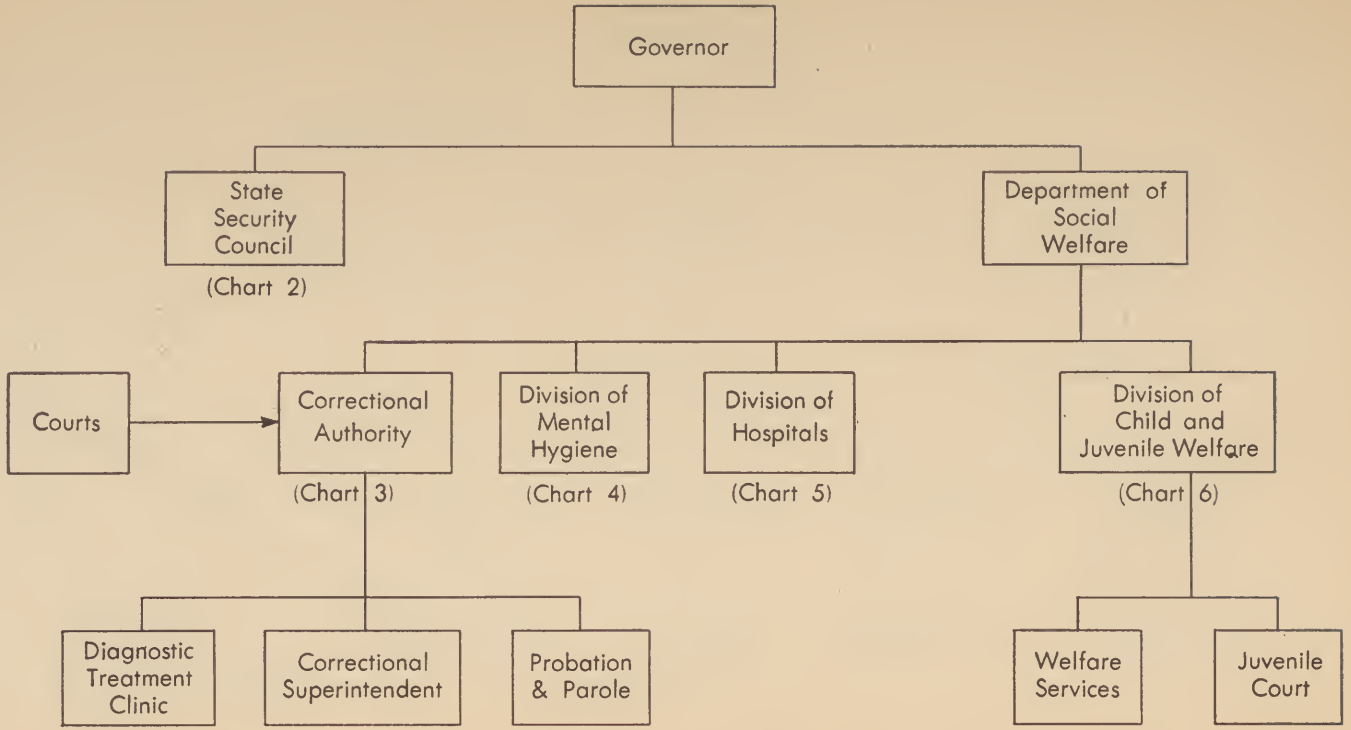

CHART 1

Over-all plan as outlined in accompanying report

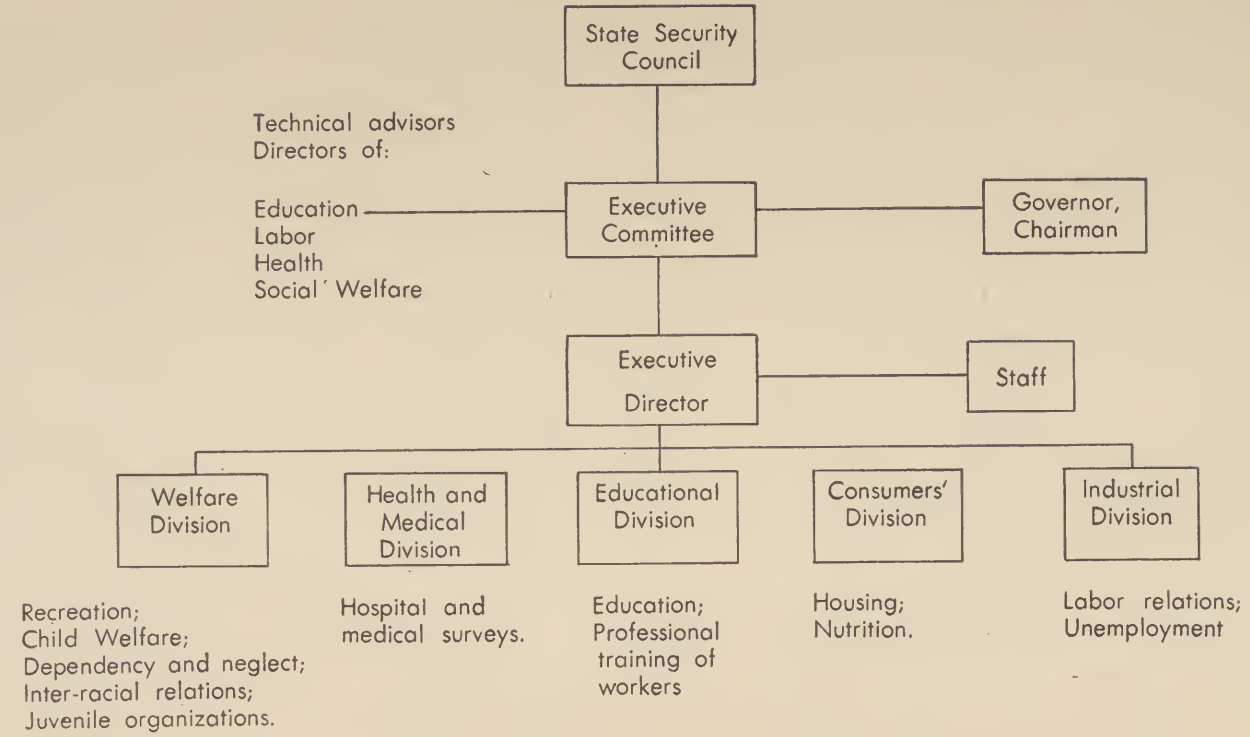

CHART 2

State Security Council

tutions. By an integrated program, we can give supervision and care to other thousands whose problems can be met, not within the walls of institutions, but in their own homes or in "foster" or "convalescent" homes. It will be made clear that the institution is but one of many ways in which we can accomplish the major objective of cure and rehabilitation.

Finally, it is my Faith that the "Four Freedoms" are living, burning realities,—living and burning realities because they come out of the very loins of the torn and suffering human race. Two of the "Four Freedoms," "**Freedom from Fear**" and "**Freedom from Want**" lie at the very heart of the institutional problem. When we make men free from fear, when we make men free from want, few indeed of our fellow citizens and neighbors will find themselves "classified" in the statutes of this State as "neglected and dependent children," as "indigent poor," as "mentally ill," or even as "delinquent" or "criminal."

SYNOPSIS OF SUPPLEMENTARY REPORT AND ITS RECOMMENDATIONS

In the ancient Greek Tragadies which dealt with deviant human behavior and its tragic consequences, the producers adopted a unique and interesting device. Before the curtain rose on the main play "The Chorus" came on the stage. The purpose was twofold, first, to arouse interest and stimulate the intellectual appetite, and second, to interpret to the audience what was to follow.

Such is the twofold purpose of this Synopsis.

CHAPTER I

Prevention

It is recommended there be established by legislative enactment a State Security Council. (See Chart II)

(1) An Executive Committee; the Governor, Chairman
(2) Five Divisions:—
    (a) Welfare Division
    (b) Health and Medical Division

(c) Educational Division
(d) Consumers' Division
(e) Industrial Division

Each Division will consist of a chairman and interested citizens.

(3) The State Directors of Social Welfare, Education, Public Health, Labor and the Chairman of the Unemployment Compensation Board will act as a technical advisory staff to the Executive Committee. Also, the Attorney General and the Superintendent of State Police will act as technical advisors.

(4) **Director of Human Relations**
There shall be a full time Director of Human Relations. He shall be directly responsible to the Governor and the Executive Committee of the Council.

Social Objectives and Functions

The social objectives and functions of the State Security Council shall be fivefold:—

(1) Planning for Social Action through community organization.

(2) Prevention:—
(a) Of Juvenile Delinquency and Crime
(b) Of Physical and Mental Illness
(c) Of industrial accidents and certain occupational diseases.

(3) Collection, and interpretation to the public and to the General Assembly, of vital statistics:—
(a) Unemployment - amount and causes.
(b) Number of dependent and needy individuals of the State requiring Relief, together with causes of Dependency.
(c) Vital statistics on illness and disease, particularly such types of diseases as Tuberculosis, Cancer, Infantile Paralysis, Heart Diseases, Alcoholism and various types of Mental Illness.

(4) A continuous adaptation of our State Institutions and privately endowed hospitals to meet the needs of Rhode Island citizens requiring institutional care and treatment, looking to their cure and rehabilitation.

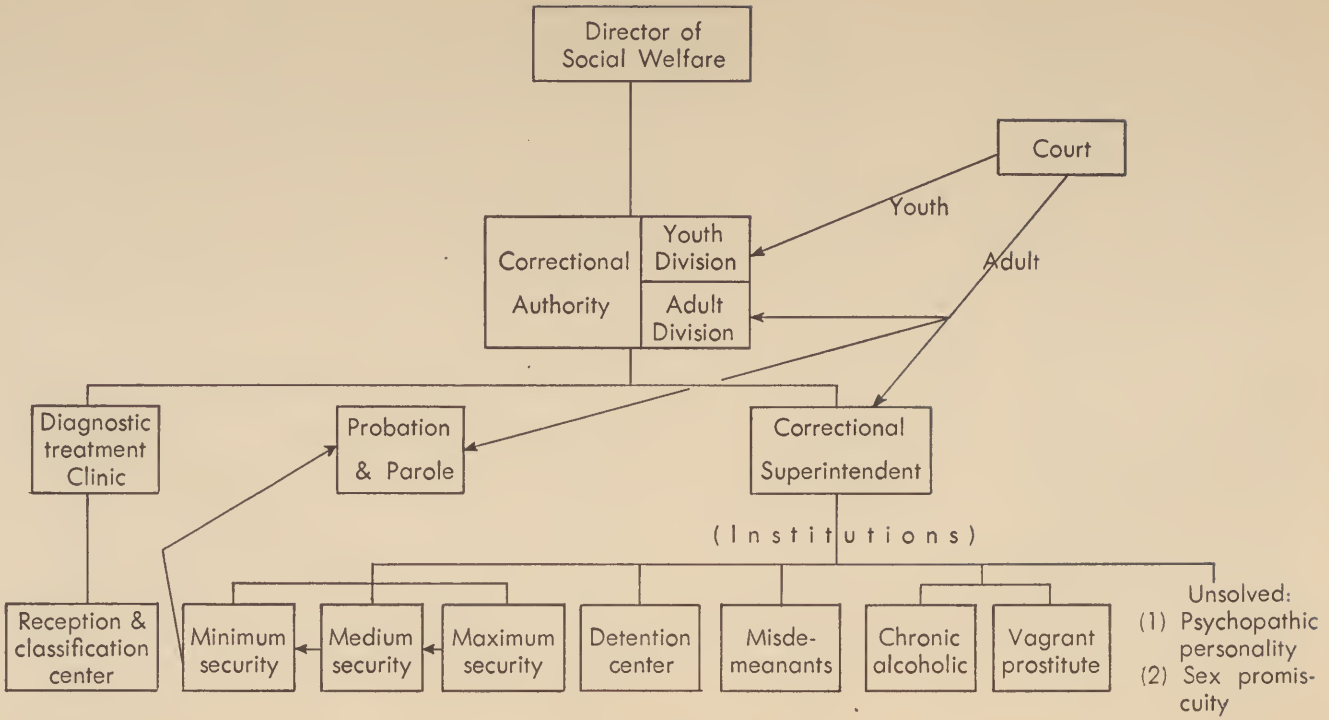

CHART 3

Correction Program

(5) Preparation of such Legislation as may be required from time to time in the field of Human Welfare, viz., legislation in the fields of Social Welfare, Health—physical and mental, Education and Labor.

The full time Director of Human Relations should be a well qualified Sociologist. He would gather and compile all types of vital statistics and interpret this factual knowledge to the Governor and the State Security Council. This is essential for constructive Social Action.

CHAPTER II

Division of Corrections

It is recommended there be established within the Department of Social Welfare a "Division of Corrections." (See Chart III)

Organization

A Correctional Authority

The Authority would consist of a three-man board; viz., a Judge of the Superior Court, the Director of Social Welfare, the Superintendent of Correctional Institutions.

Under the Authority there would be the following:—

(1) The Superintendent of Correctional Institutions and his Staff.
(2) A Diagnostic Treatment Clinic. (For character of Clininc, see text)
(3) The Administrator of the Division of Probation and Parole.
(4) The following reorganized Institutions:—
    (a) **Youth Institutions for Correction**
    There would be two main institutions for the treatment and rehabilitation of youth offenders between the ages of sixteen and twenty-four:—
        (1) One wing of the existing Reformatory for Men would be what is known as a Reform School of "Medium Security."

(2) The existing institution known as Sockanosset School would be transformed to a Reform School of "Minimum Security."

(b) **Adult Institutions of Correction**

For adults, beginning with the age of twenty-four and upwards, there would be three institutions:—

(1) A Penal Farm would be established for misdemeanants and petty offenders at the present site of the Soldiers' Home at Bristol.*

(2) One wing of the Prison would be utilized as a correctional institution of "Medium Security."

(3) A second wing of the Prison would be utilized as a correctional institution of "Maximum Security."

As the text of Chapter II will show, "diversified" institutions are an essential feature in a modern correctional program which looks to the rehabilitation of offenders against the laws of society and their eventual re-establishment into the community.

The above plan is not an ideal one. It seeks to utilize existing institutions for "diversified" treatment. An ideal plan would involve the abolition of our present prison and the construction of several institutional buildings, running from those of "maximum security" to institutions similar to the late Civilian Conservation Corps Camps. (See text of Chapter II and Appendices)

Social Objectives

The major social objectives of the Correctional Authority would be:

(1) Prevention of Juvenile Delinquency and Crime.
(2) Diagnosis, classification, treatment of convicted offenders with a view to correcting anti-social behavior.
(3) Re-establishment of the offender into the community.

It is the functional operation of the Authority which is all important. The Authority will have complete supervision of the

*Note: Both the Majority Report and the Supplemental Report recommend the abolition of the Soldiers' Home.

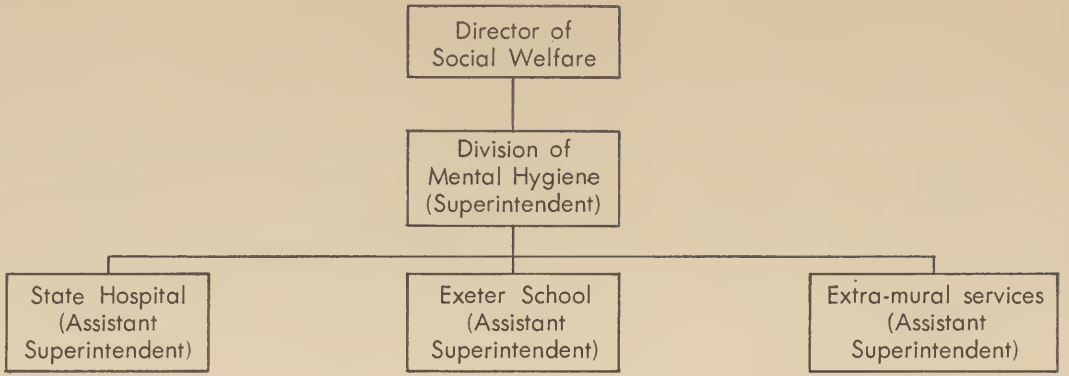

CHART 4

Division of Mental Hygiene

offender from the time of conviction to release. It will have the following important social obligations:—

(1) To make a complete diagnosis of every convicted offender.

This diagnosis will include a complete history of the individual, a physical diagnosis, a mental diagnosis and a full appraisal of the individual with respect to his rehabilitation and re-establishment into the community as a useful citizen.

(2) To ''classify'' the offender on the basis of the ''diagnosis'' and recommend proper disposition of him. Such disposition might be (a) Probation, (b) Commitment to an institution.

If the latter is recommended, a ''first offender'' could be committed to an institution of ''medium'' security while a confirmed criminal would go to a ''maximum'' security institution.

(3) **Treatment, Training-Education**

After ''diagnosis'' and ''classification,'' the Authority would establish a well rounded program of treatment, training and education. Education and training is of greatest significance. **Our Rhode Island experience shows the great majority of both youth and adult offenders have no more than an eighth grade education and most of them less.** For the past forty years we have had no education or training programs in our prison and correctional institutions, worthy of the name, ''Education,'' The Authority, with adequate legislative appropriations, would change that deplorable indictment of our State.

We lag behind every progressive state in the Union with respect to education and training of both young offenders and adult offenders.

(4) **Release into the Community**

A fourth important function of the Authority would be to act as the ''releasing agency'' or ''Parole Board'' —when offenders were eligible for ''release'' into the community.

The Authority would have available the advice of the Clinic. As will be seen from the text of Chapter II, the Clinic would comprise full time specialists in the fields of medicine, psychiatry, psychology, education and social work. This is the group who would carry on the functions of treatment, education and training. Its members would know all there was to know about each offender.

(5) The Authority would be responsible for the re-establishment of the offender in the community (a) if placed on "probation," (b) if released from an institution on "parole." The Division of Probation and Parole would, therefore, be under the jurisdiction of the Authority.

The Indeterminate Sentence

The above program involves changing our existing criminal laws with respect to judges giving a "fixed sentence" for a definite term of years. The "fixed" sentence is based solely on the concept of "punishment" and "social revenge," plus the concept that a long sentence is a "deterrent" to other potential offenders.

Every specialist in penology is today agreed:—

The concept of "**punishment to suit the crime**" has to be changed to "**treatment to suit each individual offender.**"

The "fixed" sentence is wholly incompatible with this new concept of therapy as applied to offenders against the laws of society. Some offenders are by no means "confirmed criminals." Others are hardened offenders with long records of criminal behavior.

It is manifest that a system which seeks "to cure" men of anti-social conduct should be flexible. The very heart of such a system is a form of "indeterminate" sentence.

This report makes two highly significant recommendations:—

(a) The law should provide for youthful offenders (ages 16 to 24) an indeterminate sentence, with a maximum of six years.

There would be reserved in the trial judge the existing right for the judge to place the convicted youth on pro-

bation. If the judge did not place the youth on probation, he would commit the youth to the Correctional Authority.

(b) With respect to adult offenders, it is recommended the law leave open to the trial judge three courses of action:—

(1) The judge could place the adult offender on probation.

(2) At his discretion the judge could commit the adult to the Correctional Authority—on an "indeterminate" sentence—the term in custody not to exceed the maximum sentence provided by statute for a given offense.

(3) The trial judge could give the offender the maximum sentence provided by law and request the Authority, after diagnosis of the individual to recommend a "fixed" term of sentence. The Authority within six months would then be required to recommend a "fixed" term. The judge could accept or reject the recommendation. If the judge did not act within a specified time, "the recommended" sentence would become "the term" of the sentence.

CHAPTER III

Division of Mental Hygiene

It is recommended there be established within the Department of Social Welfare a Division of Mental Hygiene. This Division would comprise three sub-divisions:

(1) State Hospital for Mental Diseases

(2) Exeter School for Feeble-minded

(3) Community Services, generally termed Extra-Mural Services. (See Chart IV)

Organization

There would be a General Superintendent of the Division and three Superintendents: (a) Superintendent of State Hospital for

Mental Diseases, (b) Superintendent of Exeter School, and (c) Superintendent of Extra-Mural Community Services. Each of these sub-divisions would be adequately staffed with professional and technical personnel.

Social Objectives and Functions

The major social objective and function of the two institutions in this Division would be to **rehabilitate** the mentally ill and the feeble-minded so as to return them to society as productive and useful citizens.

The major social objectives of the sub-division of Extra-Mural Community Services would be (a) prevention and (b) post-institutional supervision and care.

With respect to the State Hospital for Mental Diseases, there are four major recommendations looking to the cure of the mentally ill:—

Intra-Mural Services

(1) Research Department
(2) Personnel Improvement
(3) Occupational Therapy
(4) Education of Patients

Of special significance are the recommendations with repsect to the Extra Mural Services (a) for the mentally ill; (b) for the feeble-minded. These are listed below:

Extra-Mural Services for Mentally Ill

(1) Psychiatric services to State agencies
(2) Out-patient clinics
(3) Family care
(4) Commitment system
(4) Inter-institutional transfers
(6) Public education

Extra-Mural Services for Feeble-minded

(1) Mental deficiency register
(2) School testing
(3) Post-school guidance
(4) Psychometric services to State agencies

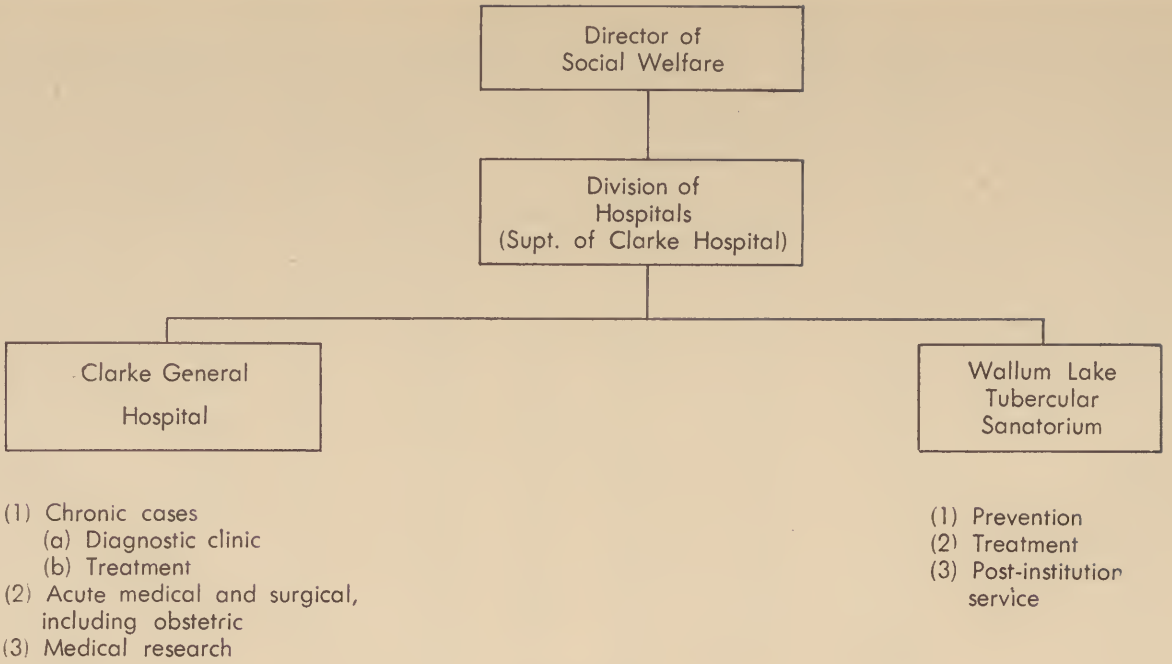

CHART 5

Division of Hospitals

This program for the mentally ill and the feeble-minded is based on the studies and conclusions of the National Committee for Mental Hygiene, the American Psychiatric Association and leaders in this important branch of Medical Science.

CHAPTER IV

Division of Hospitals

It is recommended there be established in the Department of Social Welfare a Division of Hospitals. (See Chart V)

Organization

This division will comprise two hospitals:—

(1) The Clarke General Hospital, now known as The State Infirmary

(2) Tuberculosis Sanatorium—Wallum Lake

The Division will be under the supervision of the Superintendent of the Clarke General Hospital.

Social Objectives and Functions of the Clarke General Hospital

(1) Diagnosis and Treatment of chronic diseases
(2) Treatment of acute medical and surgical cases, including obstetrics
(3) Medical Research

Social Objectives and Functions of Tuberculosis Sanatorium

(1) Prevention—by Public Education
(2) Treatment of Tubercular Patients
(3) Research
(4) Post-Institutional Service

CHAPTER V

Division of Child and Juvenile Welfare

It is recommended there be two main sub-divisions of a new division to be known as the Division of Child and Juvenile Welfare in the Department of Social Welfare:

(1) A Welfare Services sub-division
(2) A Juvenile Court sub-division (See Chart VI)

Organization—Welfare Services Sub-division

(1) Superintendent and Staff
(2) Foster Home Program
(3) Licensing and Supervision of Day Nurseries and Maternity Homes
(4) Assistance to Courts in Adoptions of Children
(5) A Preventive Child Welfare Program
(6) Institutions under Jurisdiction of Division:—
    (a) Oaklawn Training School, for girls under sixteen years
    (b) State Home and School Administrative and Reception Center (in portion not used for Boys' School)

Social Objectives and Functions

(1) To care for all neglected and dependent children committed to the Division by the Juvenile Court.
(2) To carry on a family welfare prevention program, in cooperation with Catholic Charities and Family Welfare Society.
(3) To serve Juvenile Courts in pre-investigation and diagnosis of children and juveniles coming before the Court.
(4) To care for all child and juvenile offenders (up to sixteen years) committed to it by the Juvenile Court (a) in their own homes, under Social Work supervisors, or (b) in foster homes under Social Work supervision, or (c) in Oaklawn School for girls and State Home and School for boys where institutional treatment is deemed advisable.

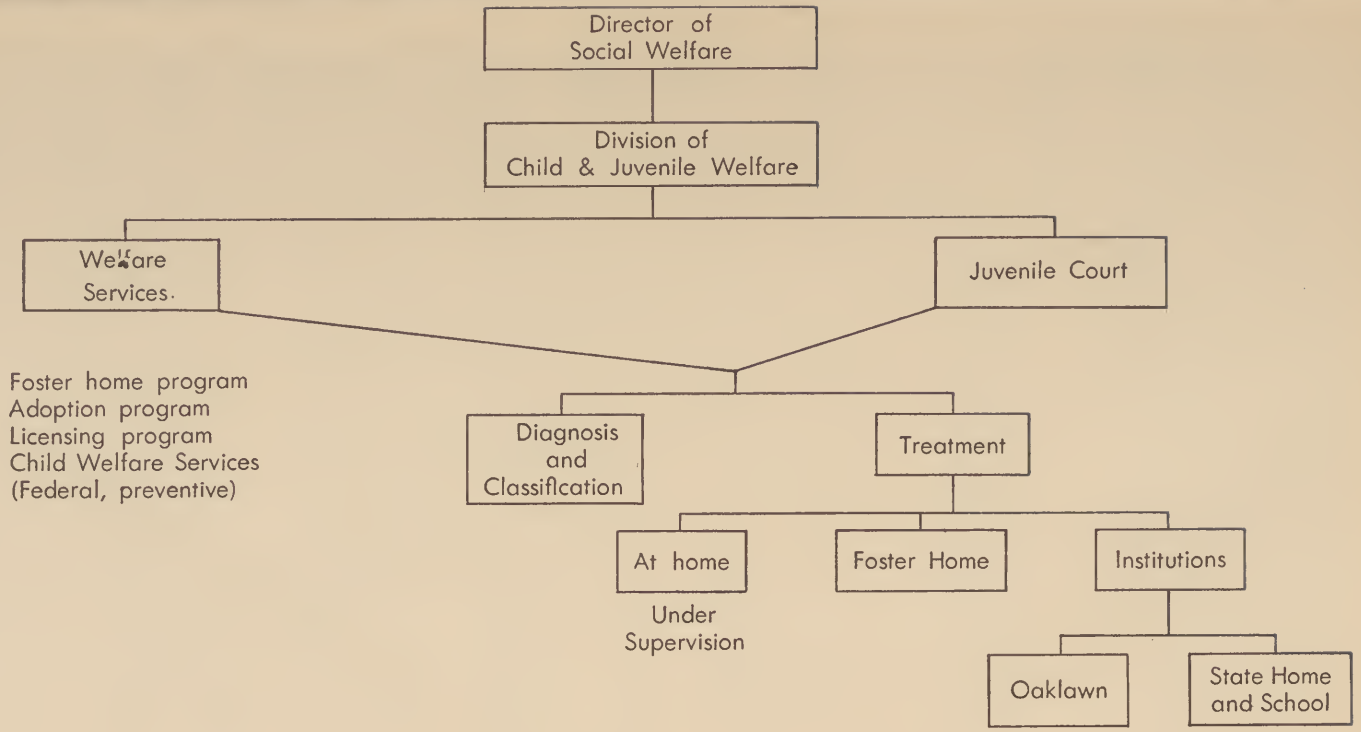

CHART 6

Division of Child and Juvenile Welfare

Juvenile Court Sub-Division

For sound social reasons set forth in the text (see Chapter V), the Juvenile Court system is placed in the Department of Social Welfare. This completely divorces child and juvenile offenders from the courts of Criminal Justice and makes of this phase of the program a social welfare approach as distinguished from the legalist approach.

Organization

(1) A Juvenile Court Judge and necessary staff.
(2) A co-ordinated adminstration with the Sub-Division of Child and Juvenile Welfare Services. (See Chart VI)

Social Objectives and Functions

This is the last stage in a long historical journey.

The journey started way back in England when a hungry and impoverished child who stole a loaf of bread was hanged by the neck until he was dead.

The second stage was witnessed in Rhode Island when children and youth who were waifs were placed "on the block" and "indentured" to the highest bidder.

The third stage was witnessed in Rhode Island when children were committed to local poor farms or the State Almshouse and were placed in a mixed population of adult vagrants, chronic alcoholics, prostitutes and feeble-minded.

The fourth stage was the establishment, years ago, of Sockanosset School for Boys as a "correctional" or semi-penal institution, to which commitments were made by the courts of criminal justice. That is our present stage for both boy and girl offenders.

We now come to the last stage of social enlightenment. I quote from the Reports and Studies prepared for the New York State Constitutional Convention in 1938.

"In a report to the New York Legislature of a Special Commission on Youth, it is said:—

"The current attitude toward the children's court is well summed up in the Reports and Studies prepared for the State Constitutional Convention in 1938:—

" 'Its purpose is not primarily to punish a child for the commission of a specific wrong or to declare the nature of his legal rights, but to discover the causes of the child's neglect or delinquency and then to determine what can best be done in his interest and in the interest of the State to rehabilitate him or to arrest further neglect or delinquency.' "

CHAPTER VI

Personnel

Certain general recommendations are made with respect to the **personnel** of all State Institutions:—

(1) An adequate "pay plan" for every classification of the State Civil Service, as these relate to institutions.
(2) An 8 hour day for all institutional employees.
(3) A program of "in-service" training applicable to every Civil Service classification which relates to institutional help.
(4) Proper housing accommodations at these institutions, which are geographically isolated from the community.
(5) A program looking to provide at these institutions, geographically isolated, a full community life for the employees.

A General Recommendation

It is highly recommended that all institutional positions be in the "Classified Civil Service System" of the State. This would include the Superintendent and other key personnel. Several of these top positions were designated two years ago as "Policy-making Positions." These should be returned to the classified Civil Service.

It is also recommended that when vacancies occur in the position of Superintendent or other top flight positions requiring professional and technical knowledge and skill of a high order,

these positions be filled by a nationwide competitive examination.

Concluding Remarks:

It is not contemplated that the foregoing progam should be put into effect all at one time or immediately. It represents a social-architectural plan for the future.

It should also be understood that this plan in its various elements does not attempt to set forth in detail the actual nature of the legislation which would have to be passed in order to implement the program.

CHAPTER I

PREVENTION

The Probem

In the Introduction to this report, a four point Program was outlined:--(1) Prevention; (2) Diagnosis and Classifacation; (3) Treatment and Training looking to Cure and Rehabilitation; (4) Re-establishment in the community. This chapter will deal with the subject of "Prevention."

Prevention, practically every specialist and all the scientific and technical organizations agree, is the most fruitful field.

This conclusion is unanimous, whether we deal with the problems of physical illness, mental illness, child dependency, or the more baffling problems of juvenile delinquency, the youth offender, and the adult criminal offender.

In order to point up, in a graphic way, just what is meant by Prevention and envisage its far-reaching potentialities, let us recall one of the greatest scourges which ever afflicted the human race Popularly called "The Black Death," but technically known as the bubonic plague, this scourge was prevalent all over Euope in the 15th, 16th and 17th centuries, and was largelv unchecked until the 18th century.

There follows a quotation from the Encyclopedia Britannica:--

> "The mortality of the black death was, as is well known, enormous. It is estimated in various parts of Europe at two-thirds or three-fourths of the population in the first pestilence; in England even higher, but some countries were much less severely affected. Hecker calculates that one-fourth of the population of Europe, or 25 millions of persons, died in the whole of the epidemics. It is hardly necessary to dwell upon social results of this terrible mortality. In England, great parts of the country remained untilled, and the deficiency of labourers was such as to cause a sudden rise of wages, which, in spite of attempts to check it by legislation, is thought to have effected the final emancipation of the labouring class..."

The Encyclopedia Britannica gives several major causes of this scourge which affected whole populations and had a profound effect upon history. The causes cited were poverty, filth, lack of education with respect to personal sanitation, and lack of any public sanitary utilities such as public sewage disposal systems and public water systems.

When the writer of this report was a young man, typhoid fever was a widespread and prevalent disease. With the establishment in modern communities of public water and sewage systems, typhoid fever in the United States became a very rare disease indeed, although typhoid fever and related intestinal diseases are still widespread over large areas of the earth where public sanitation is not yet established.

Social Sources of Delinquency and Crime

Recent studies of juvenile delinquency and crime clearly indicate sources of social infection, different in degree but not different in kind to those which produced the scourge of the "Black Death." Studies show that one of the major sources of juvenile and youth delinquency is poverty and filth in the slum districts of our large cities where there is improper housing and a low standard of family income.

In 1929, the Department of Sociology, University of Chicago, with the aid of a Behavior Research Fund, made an extensive

study in the City of Chicago. This study was made under the direction of Clifford R. Shaw. The study embraces more than 100,000 truants, delinquents and older offenders dealt with by the Chicago police and court officials during the thirty year period from 1899 to 1928. The results of the study showed that there were high rates of delinquency in the low income areas of Chicago located near the central business district and slum areas, while low rates of delinquency prevailed in the outlying residential community of higher economic status. In certain areas as high as twenty-five per cent of the boys in the teen ages were dealt with as delinquents in a single year, while in districts representing higher economic status less than one per cent of the same age group was delinquent. One most signficant fact disclosed by the study was that delinquency and crime persisted in the low income neighborhoods over a long period of years, irrespective of the nationality or racial composition of the population. The study of one particular congested and low income area disclosed that years ago, when Irish imigrants occupied the district, the percentage of juvenile delinquency and crime coming from this source of community infection was the highest of any district in Chicago. When the Irish became more prosperous and moved out, people of German and Swedish origin occupied the same area, and it was found that the same high rate of delinquency and crime prevailed. Subsequently, the Germans and the Swedes moved out, and the district was occupied by people of Italian and Polish origin; yet, delinquency and crime rates remained high. At the present time, this same area is largely occupied by Negro people, and the same high rate of juvenile delinquency prevails.

The study arrived at two conclusions: (1) that congestion, poor housing, low income with economic insecurity were the major contributing causes to delinquency and crime, and (2) that in such areas, delinquency and crime became a behavior pattern of the particular community area; that is to say, anti-social behavior was "passed on from individual to individual, from group to group, and from one genration of boys to another."* Barnes and Teeters,** referring to the studies of Shaw and his associates, had this to say:—

*Shaw, Clifford R., "Delinquency Areas," University of Chicago Press, 1929. Also, Barnes, Harry Elmer and Teeters, Negley K., "New Horizons in Criminology," Prentice Hall, publishers, Chapter VII entitled, "Geography and Ecology in Crime." This chapter cites several research studies made in different cities of the United States and substantiates in full the research made by Clifford Shaw and his associates.

**Ibid. pp. 141–142. (Barnes and Teeters)

> "In their latest book (Juvenile Delinquency and Urban Areas, 1942), Shaw and his colleagues have expanded their research to include several other cities where conditions similar to those reported and described in their earlier work ensue. The conclusions reached by Shaw and his associates are that group delinquency which characterizes much of our modern crime is deeply imbedded in the roots of modern community life; that attitudes prevailing in metropolitan centers seem to sanction delinquency through the conduct, speech, and gestures of adults with whom city juveniles come in contact; that the competing values of modern life confuse the growing boy and encourage him to seek a life of excitement in which he can gain a satisfying status with his kind; and that year after year this situation grows more serious. **Any solution, these writers feel, must come from community agencies focusing their attention on the setting or neighborhood life from which these young delinquents emerge.**"

These facts are true in Rhode Island as they are in every section of the country. In preparing this report, I obtained certain statistical figures covering a five year period with respect to boys under twenty-one years of age committed by the courts to Sockanosset School. It is interesting to note that during this five year period, it was a rare instance when any boy was committed to Sockanosset School as a juvenile offender from the better residence districts of the city of Providence. On the other hand, the great majority of boys committed to Sockanosset School were found to come from census tracts 35 and 38 of the city of Providence, an Italian district in the vicinity of Charles and Orms Streets; census tract 1, a downtown congested district,—a district which a survey made several years ago under the auspices of the Council of Social Agencies showed to be one of the worst slum districts in the United States; census tracts 18 and 19, which we know as the Federal Hill district; census tract 12, the South Providence waterfront, and census tract 26, in the vicinity of Codding Street, a district of poor housing largely populated by Negroes. Thus, we have five areas which are community sources of infection, producing a high percentage of the juvenile delinquents who eventually find themselves in Sockanosset School and later, too often, in the Reformatory for Men and in our State Prison.

One of the best statements made on this subject of Prevention is that of George S. Stevenson, M. D., Medical Director of the National Committee for Mental Hygiene. In an address before the New England Health Institute, Dr. Stevenson said:—

"The functions of a community are the counterpart of the needs of man, and in so far as those needs are universal, communities are similar, providing service for the sick and for those threatened with sickness, for the hungry, the thirsty, the ignorant, and the cold, for those in danger of attack, for those wishing to travel, for those wanting to trade, for those needing justice, and for those wanting communion.

"These are needs of men, but these needs are not so clear-cut in real life. Jimmy plays hooky. This is a human-life episode. To Jimmy it is an impulse satisfied, a unit. Behind it may be hunger, inadequate clothes, bad tonsils, improper placement in school, nagging parents, compulsory-education laws, limited intelligence, and crowded living, and because of this multiplicity of factors, Jimmy may become the 'property' of first this and then that community agency, each of which is dealing with a part or a focus of Jimmy, but none with Jimmy. To him his episode was a unitary occurrence; all these various factors were integrated to the point where they became truancy. Never can the truancy be dealt with adequately by any peacemeal process; Jimmy must be dealt with. The crucial point is that unless the services offered by a community are brought together and offered as a true counterpart of needs as they arise from people, and in such a way that the beneficiary gets a feeling of help from the community rather than from three or four separate agencies, the community is only partly deserving of the name. Today we are in a stage of cultural evolution in which community functions are progressing, but they still fall far short of being an integrated service that respects the oneness of the people served. We are progressing toward that ideal because, as technical fields expand, particularly in preventive directions, they encounter the expanding periphery of other technical fields and, after border skirmishes, come to an understanding. Most of our technical fields developed as a direct, circumscribed response

to an emergency—crime, poverty, insanity, pestilence, and the like. Preventive effort has caused them to spread more widely and more deeply to a point where the common ground beneath the technical efforts is reached. **This trend should move us closer and closer to the goal of an integrated community service tuned to the needs of the people served.''**

The School As A Source Of Juvenile Delinquency

Recent studies show that our public school systems carry a heavy responsibility, and, because of certain deficiencies, are, to a degree, responsible for juvenile delinquency. One of the best studies in this field in recent years was made by a Legislative Commission established by the legislature of the State of New York. This report, finished in 1941 after several years of study, has the following to say with respect to the responsibility of the public school system in this field of Prevention:—

> **''Responsibility of Schools***
>
> ''The Committee believes...that the schools have a definite duty toward the maladjusted children who attend the public schools of this State....Personality difficulties are as serious a condition, meriting just as much public attention as these other conditions for which the schools have now made provisions.
>
> ''The role of the school in the observation and treatment of conduct disorders likely to lead to delinquency and crime is most clearly set forth in the 1927 report of the New York State Crime Commission. This Commission made a study of the careers of 251 adolescents who had been school truants six years earlier. It was discovered that 51 per cent of these truants of 1921 had, by 1927, acquired court records. Almost a third of these records were for a misdemeanor or felony. Even more startling was the discovery that 30 per cent of the former truants had, within these six years, an average of four arraignments each in the criminal courts....

*''Young People in the Courts of New York State,'' Legislative Document (1942), Printed by Williams Press, Inc., Albany, pp. 32, 33.

"The psychiatrist at Elmira Reformatory, Dr. Rene Breguet, in a very thorough and interesting statistical analysis of 1,000 commitments to that institution, discovered a fact which should challenge the educational leaders of this State—i. e., that the age of beginning delinquency among these reformatry inmates was closely coincidental with that point in their school development when the demands of the curriculum started to exceed their mental ability as judged by the intelligence quotient.

"Thus we see that when the school yields them little or no return for the interest and energies with which they are equipped, these children will seek elsewhere for such satisfactions....

"**We therefore urge upon the educators of this State that they take further measures to deal in preventive fashion with cases of truancy and other forms of school maladjustment when the first symptoms of these conditions are revealed.....**"

Community Organization Essential

These facts clearly show that the congested city area, with bad housing, with families in the lower income brackets, and even our school system are important contributing factors to delinquency and crime. They point to the need of **community organization.** A good statement on this need follows:—*

"Community organization and planning is most essential. There is a woeful lack in the use of available community resources or the knowledge of how community conditions may have been responsible for the particular case in which we are interested. Probation and parole officers' responsibilty should not stop with the cases they supervise. Their greatest contribution can come in the prevention of delinquency and crime through their knowledge of causative factors and their ability to reach back to the schools, the police, and the homes in a program of education and interpretation. The possibilities in this connection have hardly been touched.

*Witte, Ernest F., "Training Probation and Parole Officers," "Proceedings American Prison Association," 1941, pp. 187–188.

The statement by Jack Parsons, Superintendent of Child Welfare and Attendance of the Stockton Public Schools, is particularly significant. He states:

"'The school probably has done more to create delinquents than any other single factor in American life. Not many will agree with this. But, if I said that the lack of schools does more to create problems than any other factor, I would have almost unanimous agreement. And when the school does not adjust to the needs of the child or meet the demands of our present day civilization, there might just as well not be any school.'

"A further indication along the same line is a statement by O. W. Wilson, Professor of Police Administration at the University of California:

"'The most direct approach to the prevention of crime is through the juvenile population. If there were no juvenile offenders, there would be few adult offenders. How to prevent juvenile delinquency, then, is the immediate problem.'

"These statements but emphasize the need for a clear understanding of the priciples of community organization..."

With respect to the importance of mobilizing all of the community resources in this field of delinquency and crime, the following statement by Lowell Juilliard Carr, Director of the Michigan Child Guidance Institute, shows the necessity of a State Plan for Delinquency Prevention:*

"Any state plan for delinquency prevention must come to terms with four very tough conditions. First is the fact that no state and no community anywhere in the United States has ever been psychologically prepared or socially organized to utilize more than a small fraction of the scientific knowledge and the technical skills available for the control of deviant behavior on a scale even remotely approaching the scope of the problem itself. That's tough condition number 1; we simply aren't using the existing scientific and technical tools available for doing the job. Tough

*Carr, Lowell Juillard, "A State Plan for Delinquency Prevention," "Social Defenses Against Crime." 1942 Yearbook, National Probation Association, pp. 36-37.

condition number 2: most people, most community leaders, most legislators are totally unprepared to face the complexity of delinquency causation. Ordinary Americans want simple answers. Unconsciously most of them are looking for someone to solve the problem for them by pulling a rabbit out of a hat. That's tough condition number 2; we're still hoping for magic. Tough condition number 3: impatient for quick results and unaware of the complex and deep-rooted nature of the emotional and social causes of delinquency, legislators and budget directors everywhere have provided almost no funds for prevention. They have voted millions and millions for prisons and juvenile courts and correctional schools—although almost never enough for these institutions to do their work on a modern level. But for changing the emotional trends among tens of thousands of children before they collide with the law, and for controlling the anti-social pressures in the environment of these children to reduce the chances of their colliding with the law, no legislature has ever voted more than an almost invisible fraction of the actual tax-paid cost of crime, and only a handful have ever voted anything. That's tough condition number 3; Americans haven't learned to pay for delinquency prevention. Tough condition number 4: There are no panaceas. Pet-theory solutions are out. No one science, no one discipline, no one group of skills alone is enough. More than two generations of disappointments have finally driven home to serious students of the delinquency problem the realization that just as you cannot fight a formidable foreign enemy without a complete mobilization of military, economic and civilian resources, so you cannot fight antisocial behavior on the home front without a complete mobilization of all we have—science, technology, social action and social organization. This is tough condition number 4; delinquency prevention means all-out mobilization of resources.

"We are not using the tools we have, we are still hoping for magic, we haven't learned to pay for prevention, and actual prevention calls for nothing less than the mobiliaztion of

science, technology, social action, and social organization —those are the conditions under which any state plan must start.''

Illness and Disease

In the field of mental illness, as well as in the field of delinquency and crime, it is today recognized that we have sources of community infection which are, in large degree, responsible for the fact that in the State of Rhode Island, as well as in many other states, we have a larger number of individuals in institutions for mental illness than we have in our hospitals for physical illness or in our institutions for youthful and adult offenders. For example, the current population in our State Hospital for Mental Diseases averages about 2,800 individuals as compared with a present population in all our correctional institutions of less than 700. Among the primary causes of mental illness are syphilis, a preventable disease; acute alcoholism, to an extent another preventable disease; and various psychopathic disorders which spring from avoidable stresses and strains in the home life, in the early school environment, in poverty and economic distress, and various other strains arising from malnutrition, chronic ill health, and economic insecurity.

It is now an established fact in the medical profession that various types of physical illness which are attributable to microbes and germs are, generally speaking, on the decline. This is due to the great advance in modern scientific medicine in isolating disease germs, and the discovery of certain vaccines and drugs, such as the sulfa drug group, which kill the germs of microbes preying upon the human organism.

On the other hand, the so-called chronic diseases have increased, according to studies made at the Cornell Clinic on Chronic Diseases in New York City, by nearly one hundred percent in the last twenty-five years. While not too much is known with respect to the causes of this increase in chronic diseases, it is fair to say that the medical profession has reached the general conclusion that these chronic diseases stem primarily from the same community sources of infection as do juvenile delinquency and crime and mental illness. That is to say, they stem from physi-

cal disorders, the seeds of which were laid in very early life due to poverty or a general low standard of living with resultant malnutrition in babyhood and early childhood. Here, again, a specialized institution dealing with chronic diseases is only part of the answer. The primary solution is in Prevention.

It is needless to point out, in speaking of the tuberculosis sanatorium at Wallum Lake, that tuberculosis is a community disease which also has its sources in areas of community infection caused by poverty or low standard of living, with resultant malnutrition, poor housing and over-crowding, and lack of proper sanitation in our large industries and business establishments.

The potentialities in this field are so great that they should fully capture the imagination of every citizen of the State and lead us to a new social perspective. In the field of physical illness, alone, may I quote the following statement recently made by Dr. Thomas H. Parran, Chief of the United States Public Health Service:—

> "We continue to waste both time and manpower. Even in peace-time, industrial disability takes 400 million man-days off the production line. If we could save only 10 per cent of last year's loss, (1942) we should have the extra labor available to build 16,470 combat tanks. According to the industrial hygiene experts, at least 20 percent is preventable now. "A large army of workers were not on the job today because they were sick or injured. Next week, workers in the United States will lose 7½ million work days. In nine cases out of ten, they are laid up because of common ailments. The tenth will be off the job because of accidents in the plant. This is a sizeable army that is never mobilized."

Neglect of Human Beings Costly

We, in America. in this World War, as we did in the last World War, have had a sad experience. It should be an enlightening experience. At the beginning of the operation of the National Selective Service and since, it has appeared that approximately twenty per cent of the young men in the draft age were not fit to serve in the armed forces of the United States, either because

of physical unfitness, mental ill health, mental deficiency, or illiteracy. It is important to know that 433,000 men of draft age lack sufficient education to serve in the Army. So we were compelled to draft "fathers," many with young children.

If such a high percentage of young men in what should be the period of greatest health and vitality, both physical and mental, are unfit to serve their country in time of war, it is clear that they are not fit to play a productive part in the creation of wealth of the state and nation in times of peace. The saddest fact of this situation is that these physically and mentally handicapped individuals belonging to the ages of youth do not improve with age. In fact, they deteriorate. It is conceivable, therefore, that of the total adult population in the United States at least thirty per cent or higher of our adult population—men and women—are not physically fit, or if physically fit, are not mentally fitted by education for the kind of productive and creative work that is necessary if this country is to become increasingly a great producer of wealth, with the result of an ever increasing standard of living. As long as seventy or eighty per cent of our adult population carries the major burden, and another twenty or thirty per cent "ride," more or less, on the shoulders of those fit mentally and physically, we cannot expect for this country and for our own highly productive State, a great future.

The conclusion is clear. In times of peace, as in time of war, we need an organization similar in character and pattern to our existing State Council of Defense. Such is the proposal for a State Security Council, whose continual watchword would be "PREVENTION—Through Community Organization and Social Planning."

Post-War Problems

As we look forward to the cessation of the war, the post-war period and its problems emerge on the horizon like a mountain range presenting barriers which we must cross. They are not insurmountable barriers. Yet, this transition from war to peace, everyone realizes, presents, not only to America but to the World, one of the greatest problems the human race has ever faced.

We read our daily papers. From them, we glean that the President of the United States, the Congress, great business organizations, state governments, local governments—all talk about "Planning." Singularly enough, most of this talk about planning relates to building highways and various sorts of structures, including new state institutions. When the talk is not about this, much of it comes from business organizations, which speak in "economic terms." We must, for example, keep our national income up to its present height of one hundred thirty billion; we must give full employment; we must develop new types of products. Little is said about the Social Sciences, or Social Planning. There are many who believe that, as important as are the foregoing types of planning, Social Planning is of equal, if not greater, importance.

May I speak again of the area of delinquency and crime. At the end of the last World War, there was what was called a "Crime Wave." Though there is some doubt (due to the inadequacy of exact statistics) as to whether or not there was an absolute increase of crime committed in the United States after World War I, Dr. H. C. Engelbrecht in "Revolt Against War," 1937, states:—"In spite of the difficulty of interpreting crime indices correctly, it is evident that the World War was a breeder of crime and lawlessness. In this country the period 1910-1923 was marked by a disturbing growth in various kinds of crimes; forgery increased 68.2 per cent, homicide 16.1 per cent, rape 33.3 per cent, violation of the drug law 2,006.7 per cent, and robbery 83.3 per cent." A Bureau of the Census Report for 1926 summarizes the development between 1910 and 1923 as follows: "In general there was a marked increase in the commitments for crimes of violence and for violations of drug and liquor laws, but a more marked decrease in the commitments for most minor offenses."

Concerning the extent to which ex-service men contributed to the increase in serious crimes after World War I, the Wisconsin State Board of Control in 1922 obtained information from twelve State reformatories and nineteen penitentiaries. The percentage of ex-service men in these institutions ranged from 4.71 per cent in the Nevada Penitentiary to 33.33 per cent in the Washington Reformatory and averaged 18.12 per cent for all. On the basis

NATIONAL LIBRARY OF MEDICINE
WASHINGTON, D. C.

of studies made in Wisconsin in 1922, it was estimated that there were 20,000 ex-service men in penal institutions throughout the country. This incidence of criminality is considered far above that ordinarily found in the civilian population for the age groups of the veterans concerned, 19 to 31 years.

Of even greater significance than the fate of the veterans was the rising tide of delinquency among the younger strata of the population, both during and after World War I recorded in the United States and England.

In the light of past experience, we may conclude that we are now piling up a wave of future law-breaking that may dwarf anything heretofore known for the following reasons:

1. The far greater number of returning soldiers—11,000,000 as compared with 4,000,000 in 1919. Trained in recklessness and high speed, many will not readjust to the caution and responsibilities of civilian life without missteps—traffic fatalities, high-spirited celebrations, and so on. Many will create problems because of emotional strain and mental breakdown.

2. The return to civilian production of millions of our war industries. This will involve, for many, periods of unemployment, reduction in wages, migration and beginning life in new neighborhoods. This group includes the marginal workers, individuals who find it hard to find jobs and adjust, but who are now employed because of the manpower shortage; returning soldiers will force many of them out of work or into less desirable jobs and make it easier for them to slip back into delinquency and crime.

3. Present juvenile delinquents who will graduate into crime. With mothers as well as fathers employed or in the service, spending money in their pockets, neighborhood controls lost because of the migration of many families, and with the unnatural excitement of wartime in the air, unprecedented numbers of children in their teens are on the loose. Available statistics are no real guide to the numbers, but during 1942, 11 per cent more boys and girls than in 1941 found their way into juvenile courts. Many of them are getting the habit of anti-social behavior.

All of the above facts emphasize the need for mobilizing every community resource. It specifically points to the need of preserving the great social gains which have arisen out of the State Coun-

cil of Defense. It supports, if nothing else does, the proposal hereinafter made for adapting our State Council of Defense into a post-war community organization, viz., "**A State Security Council.**"

PROPOSAL FOR A STATE SECURITY COUNCIL

In this period of war emergency, both the state and the nation came to realize cogently the need to mobilize for **Defense** all community resources. On the federal level, we organized "The Office of Civilian Defense"; also, under the Federal Security Agency, "The Office of Defense Health and Welfare Services." In practically every state of the union, there was created "A State Council of Defense." All community resources were organized. They were organized, first, to meet any emergency which might arrive from "**invasion**" or from "bombing" by enemy action—**protection of physical property.** Second, they were organized to meet urgent social needs which might arise during the War emergency. These second needs were based on health, welfare and education. They embraced such problems as general public health, including adequate nutrition, especially for war workers; they embraced such problems as day-care for children of working mothers, and the rising tide of juvenile delinquency. They included also provisions for relaxation, rest and recreation of a population working under the stress of war production.

The Rhode Island State Council of Defense is a splendid organization—a live, vital, alert organization. Never in the history of this State has the whole community been mobilized and so fully fused into one organization of physical and social protection as has been achieved by the State Council of Defense.

It would be a tragedy if this splendid Organization, embracing in itself every public and private agency, should pass out of existence and be lost in the critical post-war period.

May I repeat, in the scientfiic literature, in the proceedings of scientific and social organizations working in the field of public welfare, "**Prevention**" or "**Social Protection**" is always cited as the most fruitful of all fields. Yet, it took Pearl

Harbor and a World War before we organized the community in this all important, this most fruitful field.

It is here proposed that we create what shall be known as a "**State Security Council.**" Before outlining the nature of this Council, may I quote from a monograph entitled,"Health, Welfare and Related Aspects of War Services," issued in October 1942 by the Office of Defense Health and Welfare Services of the Federal Security Agency, under a chapter heading entitled, "**Mobilizing Health and Welfare Services.**" The monograph says:—

> "**Health, Welfare and Related Services—A Key Section In The Total War Effort.**
>
> "One of the most important segments of the community war services is that which comprises the field of health, welfare and related activities. These services include medical care and protection against disease and malnutrition, financial security in times of crisis, educational opportunities geared to wartime circumstances, recreation to relieve stress and strain and other measures to keep life as nearly normal as possible under war conditions, particularly for children and workers producing war materials and food supplies. All these health and welfare services are an integral part of the Nation's total war effort . The development and coordination of these and other essential community war services is the joint responsibility of various Federal, State and local agencies and of Defense Councils...
>
> "**Necessity of Organizing Available Resources**
>
> "Today every community in the country faces pressing social and economic problems. These vary from place to place according to whether the situation is urban or rural, agricultural or industrial, seaboard or inland. But all communities must work to maintain the security and fitness of their people throughout the war and to establish a foundation for post-war reconstruction. **These tasks cannot be undertaken piecemeal; they require suitable machinery through which all needs and problems affecting the war effort can be recognized and all available community resources utilized.**

"The resources for meeting health and welfare problems include those which already exist in the community and those which can be supplied through state, federal, and national agencies and organizations. Planning and providing for this important sector of community war services on the over-all basis necessitated by the emergency make an objective point of view essential. Health, welfare and related programs should focus upon the community's total basic needs. This implies a forthright effort by agencies in these fields to work together with a clear concept of the part to be played by them individually and as a group. Joint planning will be required by federal, state and local agencies both public and private. This in turn takes willingness to modify or, if necessary, to relinquish former objectives. A plan of concerted action based on specific community needs calls for the participation not only of health and welfare agencies and schools, but also of individual volunteers and voluntary organizations such as churches, civic groups, unions, youth organizations, and the like. Some form of community organization is necessary to unite all these efforts within the community and to plan the best means of achieving action, eliminating duplication, and bridging gaps.

"**Objectives of Community Organization**

" 'Community organization' is a broad term applicable to activities with a variety of purposes and forms. The particular objective of any plan of community organization should be clearly understood in order to avoid the confusion which may arise from adopting a plan not suited to the purpose in view. The following are especially important purposes in community organization:—

"1. To plan a community program and co-ordinate services composing it.
2. To bring about the establishment of operating units where needed to carry out such services.
3. To provide support for community activities through promoting public understanding and interest, raising funds, and recruiting workers.
4. To facilitate participation on the part of the general public in planning and using community services.

5. To provide an organization by which specific information and suggestions for action can be transmitted to the people of the community who are concerned in one way or another in a particular activity.

''Elements of Organization

''The basis for effective organization of health and welfare aspects of community war services is a structure through which persons responsible for or interested in these related fields may jointly analyze needs and plan action.

''A sound plan of organization must provide a way to take stock of total community needs and services. It must also provide for maintaining a balance in program planning and for wise use of available leadership. The function of planning must not be confused with operation, which latter seldom belongs in a coordinating group of any kind. The results of joint planning and co-ordination will, however, promote more effective operation by all agencies and groups.''

The plan proposed here for the creation of a State Security Council is but a continuation of the work and organization of the State Council of Defense in this important field of Public Health, Social Welfare, Labor and Education. It proposes that we establish as a continuing function of our State administration, the organization and mobilization of all community resources, public and private, in the field of Human Relations. It recognizes that state institutions and private institutions such as hospitals for the physically ill, hospitals for the mentally ill and deficient, sanatoriums, correctional institutions, training schools and our whole system of public education, are important social tools in a community welfare process.

This process, as previously stated, must be integrated so that the important elements of Prevention, Diagnosis, Treatment, Rehabilitation and Re-establishment of the unfortunate back into the community are considered **one problem** for which the State assumes primary responsibility; yet, at the same time, recognizes the important role to be played by private hospitals and a very great variety of private welfare agencies in the field of Public Health and the Social Services.

The State of Rhode Island expends, on the average, $20,000,000 a year in public administration. Approximately half of this, or $10,000,000, is expended in the fields of Social Welfare, Health, Labor and Education. This does not take into consideration a much larger public expenditutre on the part of cities and towns of the State for the same purposes: Public Welfare, Health, Labor and Education. I am satisfied that a frontal attack such as herein proposed, one which will mobilize all State and local public and private Health and Welfare services, would, in a short time, save the State of Rhode Island several mlllion dollars annually spent in these related fields of Human Relations.

The Existing Rhode Island State Council of Defense

The Chairman of the Rhode Island Council of Defense is the Governor of the State of Rhode Island. Working with the Governor is an Executive Committee. This Executive Committee is implemented by a full-time paid Director of Civilian Defense. Of great significance is the breakdown of the State Council of Defense into two major units. Of particular significance is the fact that one of these major units comprises the following branches:—

1. A Welfare Division
2. A Health and Medical Division
3. A Consumer Division
4. An Agriculture Division
5. An Industrial Division, including Labor and Industry
6. A Manpower Division

May I call attention to the fact that the Welfare Division is divided into a number of subdivisions:—

1. A Recreation Subdivision
2. A Social Protection Subdivision (against social diseases, syphilis, etc.)
3. A Citizenship Subdivision
4. A Family Security Subdivision, which is again divided into:
   (a) a Rehabilitation Committee
   (b) a Child Wefare and Care Committee

(c) a Social Services Committee
(d) a Housing Committee

The Health and Medical Division has several subdivisions:--

1. A Medical Care Subdivision
2. A Hospitals Subdivision
3. A Disease Prevention Subdivision
4. An Industrial Health Subdivision
5. A Nutrition Subdivision
6. A Nurses Subdivision

In the Industrial Division and the Manpower Division, we find a Labor Managment Advisory Commitee and also in the Industrial Division an Education Subdivision and a Vocational Training Subdivision.

The recital of these various branches, subdivisions and committees of the State Council of Defense shows that, in the time of war emergency, the State of Rhode Island is fully alive to its responsibilities in this field of "Social Prevention" as an underpinning of social security. The State Council of Defense is a fine example of community mobilization in a period of war emergency.

It is specifically recommended that there be established, by legislative action, a permanent council, to be known as The State Security Council. It is proposed (1) that this Council have as its Chairman the Governor of the State of Rhode Island (2); that it have an Executive Committee of prominent citizens; (3) that the Directors of four State Departments and the Chairman of the Rhode Island Unemployment Compensation Board be ex officio members of the State Security Council, constituting a technical advisory council to the Governor and the Executive Committee. The four departments are those which deal with problems of Public Health, Social Welfare, Labor and Education, viz., the Department of Social Welfare, the Department of Public Health, the Department of Education, and the Department of Labor. The Rhode Island Unemployment Compensation Board deals with the problem of unemployment, including social insurance for unemployment and cash sickness benefits for those in covered employment who are temporarily ill. The Superintendent of the State Police

and the Attorney General of the State, who deals with Criminal Justice, should also be ex officio members.

It is further proposed that there be established the following divisions:—

1. A Welfare Division, which, with some modifications, would follow the established pattern of the Welfare Division as now established in the State Council of Defense.
2. A Health and Medical Division, which would follow the pattern as now established in the Health and Medical Division of the State Council of Defense.
3. An Educational Division.
4. A Consumer Division.
5. An Industrial Division, which I would recommend be termed, "A Human Relations Division" of Labor and Industry.

Appended hereto is a chart of this proposed State Security Council.

There should be appointed, to head up the various divisions, subdivisions and committees, laymen in the community who are socially minded and who are members of the professions or organizations dealing with social security, public health, education and labor. This would include members of the medical and dental professions; psychiatrists; educators in our colleges and public schools; members of organized labor; professional and lay people working in the fields of social service, such as the Catholic Charities and the various councils of Social Agencies supported by the United War Fund. Special organizations would have representation, viz., The Family Welfare Society The Society for Prevention of Cruelty to Children, The Children's Friend Society, The District Nursing Association, and members of the new profession of Nutrition.

There should also be, in the appropriate places on this Council, representatives of our protective services, such as local police organizations, local inspectors of public buildings, and local public health officials.

Director of Human Relations

To properly implement the State Security Council, it is recommended that there be, responsible to the Governor and to the Executive Committee, a full-time Executive Director. This Executive Director would be an individual highly trained in the field of Human Relations. He should be given a proper staff of research men and statisticians.

The Executive Committee would constitute an over-all board in the field of research and analysis of all types of human statistics. It would be the focal point for **planning a program** for the State in the four-fold area of **Prevention—Diagnosis; Classification; Treatment, Cure and Rehabilitation,** both "**outside**" of existing institutions and "**within**" institutions.

The Office of the Executive Director would constitute a Human Relations Institute. Into this office would flow every type of human or social problem, and a wealth of statistical material:

1. Data with repsect to the rise and fall of all types of physical illness such as tuberculosis, pneumonia, infantile paralysis and the lesser diseases such as influenza, the common cold, etc.

2. Data with respect to unemployment, whether unemployment is rising or falling, and as to whether, if unemployment is rising, there exists a large and permanent surplus labor market in times of normal business prosperity.

3. All statistics with respect to dependency would be available. We would have statistical graphs with respect to the number of individuals in this State who were dependent because of old age, children of dependent mothers, or dependency due to such causes as blindness, chronic disease, mental illness, or mental deficiency.

4. There would also be available data with respect to juvenile delinquency, youthful offenders and adult offenders.

In course of time, this office dealing with Research, Analysis and Planning would chart out every area of social infection in the State pertaining to citizens of the State finding themselves in the toils of the criminal law or finding themselves in Institutions due to mental ill health, mental deficiency, or disease.

It is manifest that, within a short period of time, the State of Rhode Island would be in a position to make constructive plans and real achievements in the field of Prevention, and in the fields of diagnosis, treatment, cure and rehabilitation.

The State Security Council would find a number of specific fields in which to work. While the following list is far from complete, it suggests the far-reaching potentialities for such a State Security Council,—**social defense and protection in time of peace as well as in time of war:—**

1. **Housing.** The great need for housing in certain war production areas led to the building, under the auspices of the federal government, of a large number of model low-cost housing units. We have only scratched the surface of the opportunities. In every congested urban center, we realize this need. A study, made some years ago, showed that in the city of Providence we had slum areas comparable in their degradation to the slum areas on the east side of New York.

2. **Recreation.** I have before me, as I write, a second survey with respect to the lack of recreational facilities, particularly in the congested areas of the city of Providence. Notwithstanding this report was made years ago, nothing adequate has been done to provide recreational facilities for youth in these congested areas which, we have seen, are the sources of social infection leading to delinquency and crime. In the recreational field, also, there is great opportunity, through community organization, to stimulate recreational opportunities for adults.

3. **Education.** There are two fields in which a State Security Council, patterned after the existing State Council of Defense, could do constructive work in the field of education. We have already seen that our school systems must give greater consideration to the home background of backward and maladjusted children. We cannot have it said that our public schools are a major contributing factor to juvenile delinquency. Second, there is the growing problem of adult education, the need for which cannot be over-emphasized in the post-war world, which will require new knowledge and new social adjustments on the part of every citizen.

4. **Child Welfare.** In the field of Child Welfare, there are several important areas: (a) Expansion and co-ordination of the work now being done by the District Nursing Association in educating mothers during the period of pregnancy and giving them professional aid with respect to children from birth to time of entrance into school. This program is a cooperative program between the Public Health Nurses of the State Department of Public Health and the District Nursing Association. (b) More adequate provision for ''day care,'' nursery schools and kindergartens for children of working mothers. (c) The development, through public and private cooperation, of social guidance clinics for children and youth. Rhode Island is quite backward in this field, which has been highly developed in several other states.

5. **Stimulation of professional training** in such fields as that of social worker, registered nurse, probation counsellor, police officer, attendant, officer, and guidance counsellor in correctional institutions.

6. **Continuing surveys of the State's hospital and medical services** with respect to their adequacy and with respect to potential achievements in the field of preventive medicine. For example, industry and business could be encouraged to carry on what has been started in Rhode Island, in part, and carried on in a constructive way by the Walsh-Kaiser ship-building organization, viz., continuing ''check-ups'' on the physical health of workers in industry through periodic medical examinations. In this field, also, encouragement could be given to business and industry to carry on into the post-war period much constructive work that has been done with respect to adequate nutrition of workers in business and industry.

7. **Dependency and Neglect.** Constructive work could be done in the whole field of dependency and neglect, especially by proper correlation, under the State Security Council, of all public and private agencies working in this field of the underprivileged and those requiring financial or other assistance.

8. **Inter-racial Relations.** The recent report, submitted to the Governor and the General Assembly on the Employment Problems of the Negro, opens up a great opportunity in this delicate field of inter-racial relations. Closely related to this

is the constructive work which was done by the Welfare Division of the State Council of Defense in aiding large numbers of our foreign born population to prepare themselves for citizenship and assisting them on the way to citizenship.

9. **Stimulation of Local Communuty Juvenile Organizations.** In Rhode Island and other states, there has developed a fine group of organizations designed to afford juveniles the types of activities so essential to this age group. The Boy Scouts and Girl Scouts are a notable example. Various Boys' Clubs are examples. Unfortunately, these organizations focus their attention largely on younger boys and girls. In the critical adolescent or youth period, such organizations are quite inadequate. Notable results were obtained in Chicago in some of the districts previously described by Clifford Shaw and his associates, in the development of "Youth Groups," particularly in the adolescent age. Here would be a most fruitful field for the State Security Council.

These would be a few of the special areas in which a mobilized community organization under State leadership could work. Over and above these specific areas would be the broad function of Social Planning. When comprehensive social plans were made, it would be one of the primary functions of the State Security Council to prepare proper social legislation. Such a State Security Council would abolish the necessity of appointing, from time to time, special commissions to study special problems. To my personal knowledge, we have had special commissions, appointed by several Governors, on such subjects as "The Care and Treatment of the Blind," and the general subject of "Relief;" a Commission on our Educational System, a Commission to study Employment Problems of the Negro, and the present Commission to study our State Institutions. As valuable as these commissions are, they inevitably treat the particular problem without relation to the many other co-related problems.

There exists no language strong enough to condemn Hitler's Germany and the whole Nazi philosphy. This is especially so with respect to the false and anti-social ideology in which the Hitler regime brought up its Youth. There was, however, a slogan that developed in Nazi Germany, which is worthy of thought. This slogan was "Strength Through Joy."

A National Mobilization of Community Resources

It is to be hoped that the federal government will also carry on into the post-war world the significant gains which were made through the Federal Office of Civilian Defense and through the Federal Office of Defense Health and Welfare Services.

A single state like Rhode Island can make great achievements in mobilizing all community resources in the manner hereinbefore outlined. Rhode Island and other states which adopted such a program would be greatly handicapped if there was not a federal coordinating agency in certain fields, such as, for example, tuberculosis. The disease germ does not recognize the artificial boundaries which separate state from state.

So, also, in the field of delinquency and crime, the gangster or the professional criminal is like the wolf, a roving pariah. When things get hot for him in one state, he and his gang move to other states.

Conclusion

Early this Spring, I had a guest at my residence at Howard. The man was one of the leading designers of machine tools in the United States. As we know, many of these machine tools are the most complicated, as well as the most highly specialized, pieces of mechanism. They constitute, today, the very foundation of modern industry. Many of these machine tools are almost human in the things they do. Without them, mass production and the high speed assembly line would be impossible. It is part of this man's job not only to design machine tools, but, after the product is finished and sold, to visit large-scale industries to check up on the actual operation of the new designs.

I had with him one of the most interesting conversations which I ever had in my life. He was extremely interested in the institutions at Howard. He asked me question after question with respect to the physically and mentally ill, with respect to the character of boys in our delinquent instititions and the character of youth and adult offenders in our correctional institutions. I could not understand, at first, why a man who was the creator of highly specialized mechanical tools was so interested in what

might be termed social derelicts and maladjusted people who had been, so to speak, thrown on the human scrap heap. He finally said to me, "Mr. France, this has been an enlightening experience, coming here to Howard. In my opinion, a large part of what you have here is unnecessary. It represents a preventable human wastage. I have been thinking a great deal, of late, of how industry employs the highest talent it can secure, without consideration of expense, to design and build and keep ever improving highly specialized mechanical equipment and at the same time has an almost utter disregard for what is the most marvelous instrument, an instrument which no mechanical machinery can ever equal or even approach. I mean," he said, "The Human Being."

"The modern factory," said this creator of technological equipment, "has hosts of experts who are continually testing and watching the machinery in the plant. The slightest indication of a weakness in the complicated parts or bearings is detected. No factory runs a complicated machine until it breaks down. It catches the trouble at the source. On the other hand, the modern factory, up to recently, disregarded the more important factor, the physical and mental health, the housing and the nutrition, the recreational opportunities of the most important factor, viz., Productive Manpower. I am of the opinion," he said, "that if industry would, even to a slight degree, employ the same type of talent to safeguard—yes, to build up—the strength and efficiency of its workers as it does of its machines, it would pay dividends beyond the highest expectation."

I have my office at 40 Fountain Street. On the sixth floor of this building is the central office of the State Selective Service System. During the past two years, I have seen, practically every day of the year, some hundred and more young men drafted into the armed services. I have had, for a long period, much the same point of view as expressed by the designer of machine tools. With few exceptions, the great majority of these boys who have been coming to 40 Fountain Street have come out of Rhode Island's factories, business houses, and shops. From a physical standpoint, even casual observation shows that they are, in a majority of cases, a pretty sorry lot—round shouldered, narrow chested, pale in complexion, with many evidences of

malnutrition and physical neglect. I have seen this same type of young man after he has been six months in the Army. He is a transformed individual. He appears physically strong, mentally alert, ruddy in complexion, with his chest out and his abdomen in. It does not need a tape measure to show that several inches have been taken off of his belly and put on his chest and shoulders.

In War, we cannot afford to have the physically unfit or the mentally unfit manning highly specialized mechanisms for destruction—tanks, machine guns, bombing planes, armored battleships and destroyers.

Is there any sound reason why we cannot mobilize the community in times of peace to make our "youth" as fit physically, as alert mentally, as we find it necessary to do in times of war?

Is it any wonder that, with a state and national policy and practice that pays so much attention to mechanical machinery and gives so little consideration to this God-created human instrument, we find, in a highly competitive society, a growing population in such institutions as hospitals for mental diseases; that we find chronic diseases increasing by approximately one hundred per cent as the speed-up in industry places greater strains on the human being; that we find juvenile delinquency an increasing problem in our industrial centers; that we find the youthful offenders creating a problem of the first magnitude in the United States? We still go on making capital expenditures for state institutions, for private hospitals, and we still continue, in the United States, to pay a very considerable proportion of money raised by taxation to support unemployable adults between the ages of twenty-one and sixty.

A new social perspective, implemented by a State Security Council patterned after our State Council for Defense, would, in a short space of time, be able to do what the designer of machine tools visualized during his visit at Howard.

I am confident that, if Rhode Island would establish, as here proposed, a State Security Council in which would be mobilized all the community resources for constructive, creative living, we would do more to re-create our business and industrial struct-

ure, we would do more to attract new industry and new business to Rhode Island than through any other one program.

When I was Director of the Industrial Development Department of the Chamber of Commerce and interviewed industrialists all over the country with a view to inciting their interest in Rhode Island as a place to locate a factory, the first question asked me was with respect to the nature and character of our working population.

Industrial management of the nation has, in the past, given greater care to "machines" than it did to "men." I am confident the war has taught industrial management the all important lesson that **strong, healthy workers are of vastly greater importance than machine tools.**

The State of Rhode Island and Providence Plantations is in many respects one of the most interesting, as well as one of the most fascinating states in the Union. In the first place, in comparison with other states, it is a wealthy state. The per capita wealth of Rhode Island stands well up amongst the first ten states of the Union. It is also a highly productive state from the standpoint of manufacture. It stands amongst the first fifteen states in the Union with respect to the value of products created in our textile mills, in our machine tool industry, and in our jewelry industry. This is a remarkable achievement when we consider that there does not exist in Rhode Island any of the great natural resources which are found in most states outside of New England. We do not raise any great amount of food on our farms nor any raw materials such as cotton and wool utilized by our textile industries. We have no coal fields, oil fields, or iron mines. Neither have we any great forests.

Why is it, therefore, Rhode Island is a state of great per capita wealth and a state of great manufacturing industry? Is it not because we have utilized the chief of all resources available on this planet, namely, the genius, the inventiveness, the skill, the industry of man?

This being true, we are in a very peculiar position. We have no rich natural resources which we can either exploit or waste, as many states have done. It should be clear that, if

we are to play a continuing role in the future history of America, we must safe-guard our manpower. We must build up in Rhode Island a population which is well fed, well clothed, well housed. We must safeguard the health of our people. We must give our children and youth the best education it is possible to give, both academic and vocational. We must protect and strengthen the labor in our industries.

It has not been too easy in the past for Rhode Island to hold a high place in competition with states rich in natural resources. It is going to be more difficult in the future. It is because of these facts that the writer of this report is convinced there is great merit in the proposal to preserve the social gains achieved through our State Council for Defense. We needed this Council for Defense in the war emergency. We will need a similar council in the difficult period of transition immediately after the war and in what we hope will be a great productive period in the coming century.

CHAPTER II

A PROGRAM FOR YOUTH AND ADULT OFFENDERS THROUGH ESTABLISHMENT OF A STATE CORRECTION AUTHORITY

Introductory Statement

When Winston Churchill was Home Secretary in 1910, he made a speech on crime before the House of Commons which showed the breadth of his vision and forecast the great, constructive program which Great Britain is now undertaking in the fight on war-time crime. He said:

> "The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unfailing tests of the civilization of any country. A calm, dispassionate recognition of the rights of the accused, and even of the convicted criminal against the state—a constant heart-searching by all charged with the duty of punishment—a desire and an eagerness to rehabilitate in the world of industry those who have paid their due in the hard coin-

age of punishment; tireless efforts toward the discovery of curative and regenerative prosesses; unfailing faith that there is treasure, if you can find it, in the heart of every man. These are the symbols which, in the treatment of crime and criminals, mark and measure the stored-up strength of a nation and are sign and proof of the living virtue in it."

This impressive statement by Winston Churchill is deserving of deep thought on the part of those citizens of Rhode Island who treasure its history, who take pride in its many achievements both cultural and technological, and who are not content to rest upon the historical laurels of the past, but have a burning desire that Rhode Island shall continue in the future to make outstanding contributions in the onward march of Democracy.

The writer of this Supplementary Report has such faith in the citizens of the State that he has gone to considerable pains in working out a proposal which will meet in a constructive way one of our most baffling social problems, namely, Crime and the Criminal. The Program herinafter proposed is based upon exhaustive research by men of pre-eminence in the field of Criminal Law and in the field of Administration of Penal Institutions.

The basic principles underlying the program, long recognized as fundamental by experts in the fields of criminology and penology, were first brought together in practical legislation in what has come to be known as the Model Youth Correction Authority Act, prepared by a Committee of the American Law Institute.

The American Law Institute is an organization whose membership comprises leading judges of both federal and state courts, many leading members of the American Bar, leading professors in American Law Schools and laymen interested in the development of both the civil and the criminal law. Over a course of years this organization has made several outstanding contributions in the development of jurisprudence. The Committee which prepared the Model Act above-mentioned comprises the following:—

William Draper Lewis, Philadelphia, Director of the Institute
John B. Waite, Law School, University of Michigan, Reporter
Curtis Bok, Court of Common Pleas, Philadelphia
E. R. Cass, American Prison Association, New York

Sheldon Glueck, Law School, Harvard University
Leonard V. Harrison, Community Service Society, New York
William Healy, M. D., Judge Baker Guidance Center, Boston
Edwin R. Keedy, Law School, University of Pennsylvania
Austin H. MacCormick, Executive Director, The Osborne Association, Inc.
William E. Mikel, Law School, University of Pennsylvania
Thorsten Sellin, Department of Sociology, University of Pennsylvania
Joseph N. Ulman, Supreme Court of Baltimore City*

Several members of this Committee have given me personal counsel:—Mr. Cass, Dr. Healy, Professor Glueck, Mr. MacCormick, and John R. Ellingston, Special Adviser to the American Law Institute.

The program herein set forth is also modeled after two bills now pending in Congress which proposed the establishment of a Correction Authority in the Federal Department of Justice. These bills were the result of the work of a Special Committee appointed by the Chief Justice of the United States. The federal program is sponsored by the Honorable Harlan F. Stone, Chief Justice of the Supreme Court; by the majority of the Senoir Circuit Judges of the Federal Court of the United States; by the American Law Institute; by the American Prison Association and by many eminent authorities in the Correctional field.

Out of these studies and reports made by practicing lawyers, by Attorney Generals of the United States, by judges of the Federal Courts, by legislative committees approved by many State Governors, by research organizations on whose Boards of Directors are leaders in American Industry and Finance, there has emerged a surprising unanimity (1) as to the Facts, (2) as to the Conclusions to be drawn from the facts, and (3) as to a Constructive Program (see Appendix III).

*Died in 1943

RECOMMENDATIONS

It is recommended that there be established within the Department of Social Welfare a Division to be known as the Division of Corrections. This Division of Corrections shall be in charge of an over-all authority, to be known as the Correctional Authority, but which will be referred to herein as the Authority.

The Authority shall comprise a judge of the Superior Court, to be appointed by the Governor; the Director of Social Welfare, and the Superintendent of all Correctional Institutions. The character and duties of the Superintendent will be hereinafter outlined.

The administrative duties of the Authority follow very closely the model act prepared by the Committee on Youth and Justice of the American Law Institute, with some modifications. This model act has been adapted for Federal use by a comittee of Federal Judges appointed by the Chief Justice, and a bill is now pending in the Congress of the United States for the creation of an Authority which embraces, in general, the plan herein submitted for Rhode Island.

The Authority will have four major functions:

(1) Prevention.

(2) Diagnosis, Classification and Treatment for (a) Youthful Offenders; (b) Adult Offenders.

(3) Release under supervision; the Authority will act as the "Parole Board."

(4) Supervision over the Division of Probation and Parole, whose function is to adjust the offender in free society after his release, and reestablish him as a productive member of the community.

It will thus be seen that the Authority will have complete jurisdiction of, and supervision over, all convicted offenders requiring commitment from the time of conviction up to the date of final release. In the model act of the American Law Institute and the bill now pending in Congress, the Authority is given a wide and broad discretion with respect to all youthful offenders

between the ages of 16 and 23 inclusive. In the proposed Federal Bill, the Board of Corrections is also given wide discretion with respect to the adult offenders, 24 years of age and upwards.

Youthful Offenders

Upon conviction, the trial judge may fine, suspend sentence, or place the youthful offender on probation, or he may commit the youthful offender to the Authority for an indeterminate sentence, the maximum of which will not exceed six years. In case the trial judge commits the individual directly to the Authority, the Authority can exercise a wide diversity of dispositions. It can place the youth in his own home, under supervision; in a foster home; on a farm; or in charge of some approved private agency or institution. Where the Authority decides that institutional treatment or training would be in the best interests of the youth and society, it could commit him to one of the several institutions hereinafter described. These institutions would be under the general supervision of the Authority.

Adult Offenders

Upon conviction the trial judge could fine, suspend sentence, place the adult offender on probation or commit the adult offender to the Authority. The only difference with repsect to the latitude of the Authority would be that there would be reserved by the judge the existing right of giving a "fixed sentence" to the adult offender. This giving of a fixed sentence by the trial judge would be subject, however, to certain modifications hereinafter explained.

It is important to recognize that the judge would never commit either youthful offenders or adult offenders to an institution, but to the Authority.

With this brief outline of the nature of the Authority and its relation to the Department of Justice, we will briefly outline how the Authority will operate with respect to youthful offenders and adult offenders over whom it has jurisdiction:—

1. Superintendent of Correctional Institutions

There shall be established in the classified Civil Service the position of "Superintendent of Correctional Institutions." The

Superintendent shall be the administrative officer of the Authority and shall be repsonsible for co-ordinating all phases of the integrated program in one unit of operation. The superintendent shall also have administrative functions similar to the functions of the superintendent of the State Mental Hospital or the State Infirmary. These functions in a hospital, whether it be a public or a private hospital, are well established. Briefly, they are of two-fold character: (a) The superintendent, as a specialist in his field, is in charge of the therapeutic treatment of those committed to his care. The primary object of the treatment is to bring about a cure of the patient, if this is possible, and, if a complete cure is not possible, to bring the patient to a point where he can live in the institutional community with the least possible restraint and participate in the institution's community life. It is recognized, of course, that in a mental hospital, or in a state hospital like the Infirmary, there are certain individuals who, because of the character of their illness, must be regarded as cases of life-long custodial care. (b) The second function of the superintendent is to be the administrative head of the institution in respect to what might be termed "good housekeeping." In addition to giving treatment and training, he must see that the wards of the state are properly housed, properly fed, and properly clothed, so that all of the needs of the people in his charge are met, even as the head of the family meets the needs of his children.

It is manifest that a superintendent of the Correctional Institutions must be a specialist in the modern science of penology. This science, as it exists today, involves a very considerable knowledge of the modern science of human behavior. Because of the vital importance of the superintendent, the statute enacting this proposal for a Correctional Authority should require that the superintendent be selected as a result of a nation-wide open competitive civil service examination.

2. Diagnostic Treatment Clinic

There shall be established under the Authority a clinic to be know as the Diagnostic Treatment Clinic. This clinic will constitute what might be termed the "heart" of the system. Subject to some degree of flexibility, the clinic would comprise the follow-

ing full-time members, all of whom shall be in the Classified Civil Service. It is highly recommended that all of these be selected by a nation-wide open competitive civil service examination.

(a) A Psychiatrist
(b) A Physician
(c) A Supervisor of Education and Technical Training
(d) A Psychologist
(e) A well qualified and experienced graduate in the field of social work and related social sciences

All of the members of this clinic shall be members of the operating staff of the Division of Corrections. Generally speaking, they will perform the same type of highly specialized work which we see in a state hospital for mental diseases. As such, they will be the scientific and technical advisers to the Authority, and will work in daily cooperation with the superintendent of the Correctional Division. Specifically, they will perform the following functions:

(a) **Diagnosis and classification:** Each offender coming under the jurisdiction of the Authority will first receive a complete diagnosis. The diagnosis will be based upon the previous life history of the individual. This will involve a complete case work study of the individual, namely, his family background, his education, his religion, his previous occupation and work experience, and all information which could be obtained with respect to the individual's history from early childhood up to the time that he became involved in the toils of the law. It will also involve in many cases a complete psychiatric examination. After diagnosis, the clinic will then undertake what is termed a "classification," and will prescribe the type of treatment which the clinic considers to be in the best interests of the individual and of society. It will then recommend to the Authority the character of the treatment.

(b) **Treatment:** After a thorough diagnosis of the individual and a prescribed method of treatment, it will be responsibility of the superintendent, in case the individual is committed to one of several institutions, to carry out the treatment recommended.

In case the individual is not committed to an Institution, but to the Division of Probation and Parole, that division will carry out the prescribed treatment.

(c) **Release:** The clinic will act as technical adviser to the Authority with respect to releasing or parolling the individual into free society. It is clear from the foregoing that the clinic will have a complete history of the individual, a complete understanding of his physical and mental condition, the character of his education prior to coming into the institution, and his development while in the institution. Working constantly in the institution as staff members, in cooperation with the superintendent, the clinic will be best advised as to whether the offender had reached the stage where, in his own interest, and in the interest of society, he should be given his freedom. Generally speaking, his release shall not be an unconditional dicharge. In his own interest, and in the interest of society, it may appear wiser to have the offender for a period under the supervision of the Division of Probation and Parole. To this, of course, there would be exceptions.

(d) **Division of Probation and Parole:** It is important to bear in mind that a very considerable percentage of convicted offenders never find themselves in a Correctional Institution. For a number of years the Courts in Rhode Island have very wisely placed approximately 75 per cent of convicted offenders on probation. Under the proposed system this larger group, while under the direct supervision of the Division of Probation and Parole, will be under the general supervision of the Correctional Authority. For those who have ''served'' a period of time in an institution, the Division of Probation and Parole will have great responsibility. The Division will perform a major role in re-establishing the offender in his own home and family, providing he is the head of a family, and assisting all parolees in obtaining a postion where they can gain a living.

In order not to encumber the main text with a great deal of the scientific background of this program, the writer has utilized the device of the Appendix and recommends to the reader that these various Appendices should be carefully read in connection with the Report.

Appendix II contains certain statistical facts with respect to Crime and the Criminal, the conclusions which experts in the science of Penology have drawn from those facts, and finally a more detailed exposition of the program which the American Law Institute embodies in the Model Act hereinbefore mentioned. Appendix II also contains excerpts from the testimony given before the Congressional Committe on the Correctional Authority bill now pending in Congress.

Appendix III contains statements by Austin H. MacCormick, Executive Director of The Osborne Association, Incorporated, and John R. Ellingston, Technical Adviser, American Law Institute. These statements explain the nature and character of an Integrated Correctional Program.

Appendix IV deals with Ecucation and quotes at some length from two Legislative Commission Reports of the State of New York which dealt specifically with educational and training programs for Correctional Institutions.

Appendix V deals with the highly important subject of Diversified Institutions in the process of treatment and training of the offender.

Appendix VI relates to the subject of Prevention and deals with the subject of Youthful Offenders. It is important, if we are to prevent criminal careers, to nip these in the bud, namely, in the period of Youth.

Appendix VII is the Minority Report of Clemens J. France on closing the Reformatory for Men.

There are several subjects which are of special significance for an understanding of the proposed program. Without unduly prolonging the main text of this chapter on the Correctional Authority, it is important to devote certain space to these subjects:

(1) The Science of Human Behavior; (2) the Indeterminate Sentence; (3) the General Character of an Educational and Training Program; (4) the Importance of Diversified Institutions in a Treatment Program; (5) a Scientific Method of Release; (6) Supervision after Release—Division of Probation and Parole, and (7) Can Rhode Island afford the cost of the Proposed Correctional Program.

Science of Human Behavior

It will be recalled that, in the Introduction to the Report, reference was made to the statement of a great surgeon who, not more than seventy years ago, said, ''The brain will be forever shut from the intrusion of the wise and humane surgeon.'' Notwithstanding this statement we find great progress has been made in effecting cures of many types of mental illness. In consequence, throughout the United States the term ''insane asylum'' has disappeared, and, in place thereof, we speak of the Hospital for Mental Diseases. It is conceivable that in the not distant future there will disappear from current terminology the term ''criminal,'' just as there has disappeared, to a large extent, the term ''insane.'' It is also conceivable that the term ''prison'' will disappear even as the term ''insane asylum'' disappeared. There will be substituted for this term one which is more in line with the present scientific knowledge with respect to ''Human Behavior'' and ''Conduct.''

In fact, there has developed in recent years a Science of Human Behavior. One of the great contributions to this Science has been what the psychiatrists have achieved in curing mental illness. Both the psychologist and the psychiatrist are confident that the various types of anti-social behavior, or criminal behavior, so-called, can be cured, so to speak.

It is essential to understand that the foundation of the program herein rests on what we know today in the all-important science of ''Human Behavior,'' or ''Conduct.'' Once we realize that we are dealing with a highly complex science we readily approach this problem of the ''Criminal'' or ''Offender'' against society from an ''objective,'' as distinguished from an ''emotional,'' viewpoint. Then, understanding of the proposed Federal program and the proposed program for Rhode Island becomes simple.

When one talks about any science, the layman is often inclined to hold up his hands and say, ''This is too deep for me.'' I am going to try to discuss the science of Human Behavior in its simplest terms.

At the moment of this writing, there are boys who come out of American homes, who were educated in American schools,

who were brought up under the principles of the Christian religion, who now find themselves in far off lands in contact with human beings who were "**conditioned**" from birth in an entirely different culture. In some of these lands, for an adult male to go around without earrings in his ears would subject him to social ostracism. Some of our boys will meet "Headhunters" and even people who, not so long ago, were "Cannibals," who considered it a moral virtue to eat the flesh of their chief enemies. The facts are that social habits, tradition and convention can, and do, "condition" almost any type of human behavior.

I believe every thinking person has learned, in the history of the past few years, a great deal about this science of Human Behavior, and particularly with respect to one important phase of it, that we are all "**socially conditioned.**" We know that in the early 30's the Hitler regime in Germany deliberately initiated a movement, the purpose of which was to "condition" all of the youth in Germany and imbue this youth with what we know, today, as the Nazi philosophy. Amongst other things, these young boys and youth were deliberately "**conditioned**" for ruthless totalitarian war.

We have seen, therefore, how easy it is to take youth, in its formative period, and "condition" it to "anti-social" conduct, "**condition**" youth to the point where it has respect for neither life nor property. Because Germany so conditioned its youth, we, in England and in America, found ourselves where, as a matter of salvation, we, in turn, had to "condition" our youth to do what we had formerly taught them was the most serious form of anti-social conduct, viz., **taking human life and destroying valuable property.**

It should be apparent that, if we find certain groups of juveniles and young people who, because of a bad or unfortunate environment, have been "conditioned" to anti-social conduct, there is opportunity to change them from "anti-social behavior patterns" to "social behavior patterns."

As will appear, all criminal acts do not rise from the fact that the individuals have been conditioned in early life to anti-

social behavior patterns. While that is an important factor, the science of Human Behavior is much more complex.

The point we must bear in mind is that "conduct," good or bad, is a result of various factors which have been at work upon an individual. As will appear in what follows, there are many causes, some of which are social and some of which are peculiar to the individual. Some of them stem from physical maladies; some of them stem from mental illness or mental deficiency.

It is extermely interesting that the major sciences which deal with the human body or the human mind have gone through the same historical progress. There was a period, prior to the development of medicine as a science, when a very considerable number of physical maladies were regarded by the public with all of the emotions centering about "hatred" and "aversion" to the afflicted individual. It was even thought that certain types of illness were inflicted on people as a sort of punishment of the gods. We all know that, in previous history, those whom we now call mentally ill and who only recently were called "mad," were thought to be possessed of devils. Today, all of this is changed.

We now approach the "morally ill" or the "socially ill," —the criminal, so-called—from the same objective, scientific point of view.

The following statement by Thorsten Sellin, Professor of Sociology and Graduate Chairman of the Department of Sociology, University of Pennsylvania, puts succinctly the scientific approach to this problem based on the modern science of Human Behavior:—*

> "Some elementary psychological principles of behavior were well understood in older times. As Sancho Panza might put it, our forefathers realized that like seeks like, one rotten apple will spoil a barrel, and as the twig bends, so grows the tree. Modern psychology has lent the authority of science to these homely truths and has given us a better understanding of the mechanisms of behavior.

*Published for the School of Law, Duke University, in "Law and Contemporary Problems—The Correction of Youthful Offenders." Professor Sellin is Editor of the Journal of Criminal Law and Criminology, and Author of "The Criminality of Youth," (1940), and other criminological works.

> **"One effect of the conquests of modern science in its study of conduct has been that we now understand more fully that our penal system, even when we consider the great reforms made therein, still largely rests on a philosophy of correction which no longer is acceptable to the student of human behavior, having failed to adapt itself fully to the knowledge acquired in the fields of psychology, psychiatry, and sociology.** "Today there is no possible disagreement on one principle, namely, that delinquency or crime should be prevented, if possible, and that if it cannot be prevented, it should be attacked when its first manifestations occur in a person, in order that recurrence be prevented."

The proposal for Rhode Island is based, as is the proposal for the Federal Department of Justice, upon the best knowledge we have in this science of Human Behavior. Fundamentally, we propose to do for those who are "morally" ill or "socially" ill, just what we do in the case of a man who has an acute or a chronic physical illness,—give to him, after a thorough diagnosis, the kind of treatment which his particular "moral" or "social" illness requires. We propose to make the treatment **short** if the illness is acute and can be easily cured, and prolong the treatment in case the "anti-social" conduct is deeply embedded in the offender's system.

The Indeterminate Sentence

It is recommended that there be established by proper legislation:

(a) an indeterminate sentence for the youth group—(ages 16 to 24).

(b) a modified form of "fixed" sentence for the adult group.

The nature of these will be set forth below. We will first discuss the significance of the indeterminate sentence in an integrated program which looks to rehabilitation of the offender against the laws of society.

In September 1935, Honorable Herbert H. Lehman, then Governor of the State of New York, called a conference known as "The Governor's Conference on Crime, the Criminal and Society."

The Governor invited to this conference leading men in the State of New York interested in the whole field of public welfare, and particularly specialists in the field of juvenile delinquency, youthful offenders and adult criminal offenders. The conference lasted four days, and the Report, not including the Index, comprises 1251 pages.*

In summing up the over-all objectives of the conference, the Governor made this statement:—

> "I believe that one of our principal troubles in the past has been that we have never considered the problem of the criminal as a correlated whole from the time he is a potential delinquent to the time he is returned from prison to society. "**We have thought in terms of the police alone, of prisons alone, of laws, of courts, or of parole, and have directed our attention to the improvement of each one of those separately and without any attempt to co-ordinate or correlate their very definitely interdependent activities.** How closely they are related and how much each one depends upon the effectiveness of the others is becoming more apparent to me every day...."

One of the best statements with respect to this plan of **Integration** is found in a paper by John R. Ellingston, Special Adviser to the American Law Institute. The paper is entitled "**Crime, Its Prevention and Correction-A Program for a State Agency.**" Ellingston shows how the various procedures are intimately inter-related; one follows and determines another, and, in consequence, they should all be subordinate to the needs of the individual and administered by a single Authority.**

Every specialist in the field of Crime, its prevention and treatment, is unanimous in the opinion that the cornerstone of a modern system under one over-all correctional authority is the "indeterminate sentence." Honorable James V. Bennett, Director of the Federal Bureau of Prisons, writes as follows with respect to the indeterminate sentence:—***

*"Proceedings of the Governor's Conference on Crime, the Criminal and Society," September 30 to October 3, 1935, Albany, New York.

**See Appendix III.

***Published for the School of Law, Duke University in "Law and Contemporary Problems—The Correction of Youthful Offenders."

"Indeterminate Control of Offenders: Realistic and Protective.

"The keystone of the Youth Correction Authority Act is the principle that the length of the period of treatment must be completely within the control of the Authority. Since the Act completely abandons the notion that punishment alone is the panacea for crime, it follows logically that the time required to redirect the offender must be gauged by the necessities of each individual case. This idea is neither radical nor untried. Rather it is a realistic facing up to the hard facts learned from a long fruitless effort to curb crime through fear, retributive punishment, and uncoordinated action. It stems also from the conviction that the failure to check crime is because our criminal laws are not broadly enough framed adequately to protect society as a whole.

"The Model Act provides that the Authority may keep under continued study a person in its control and retain him under supervision so long as this is necessary to the protection of the public. The Act also provides that the offender be given full liberty as soon as there is reasonable probability that he will not be a menace to the public. The Act, however, does not give carte blanche to the Authority to determine how long an offender may be held, since one of its sections provides that court approval must be obtained if he is held beyond his twenty-first birthday if he was originally committed before he was 18, or beyond the age of 25 if he was committed subsequent to his eighteenth birthday...

"Thus protected and thus safeguarded, the principle of indeterminate control of law violators is not only in conformity with our best legal traditions, but is also in accord with modern scientific concepts of human behavior. The indeterminate sentence idea has long been recognized as fundamental to any system of individualized treatment of the offender. It arises from years of experience—that imprisonment for a specified period does not assure the reformation of those who violate the law nor deter others from similar conduct."

Many similar statements by leading authorities could be given. Several of these statements, because of their preeminent source, merit space for quotation. I quote two statements from the Honorable Alfred E. Smith, which were made when he was Governor of the State of New York. I also quote a statement by the Honorable Paul V. McNutt, made when he was Governor of the State of Indiana, and a statement from Lewis E. Lawes, made when he was Warden of Sing Sing Prison:—

Alfred E. Smith

"I believe that the power of sentence ought to be taken away from judges entirely, and I further believe that fixed and definite sentences should be made dependent upon the finding of a commission... The Jury ought to determine guilt or innocence without anything in their minds except did he commit this crime or did he not, and as soon as the verdict is rendered and he is found guilty, he ought to be turned over to the State of New York for such disposition as would be determined by a board of the highest salaried men that we have in our community... After sentence a good many things are found out about a man that the judge does not have in mind when he is sentencing him... There are no two criminals alike. There are no two crimes exactly alike. There is a different set of facts and circumstances that lead up to them all. A great many of them are accidental, and if you can have a board to study this thing, spend money for it, it is worth while spending it.* "Sensible, sound, even-handed judgement based upon expert knowledge is possible by the creation of a board to make disposition of the prisoner after conviction. It is not reasonable to expect that it can be done by numerous judges sitting in various parts of the state, with widely varying ideas on the subject. The function of such a board as I suggest will be to dispose of the prisoner after the verdict of guilty has been rendered by the jury. The Judge would then simply preside over the trial, give the jury the law, and see that the prisoner gets a fair trial."**

*From remarks at a Conference with the Crime Commission of New York State, December 1927.

**From "Up to Now—An Autobiography" 1929.

Paul V. McNutt

"One of the things which hampers treatment of the convicted offender most is the haphazard method of sentencing. First offenders are often given sentences much more severe than repeated offenders for the same offense...

"There is now no consistent policy on the part of courts for sentencing offenders with similar records and offenses. Present day penologists recognize the need for differential sentences for the same offenses but they believe that the personality traits of the criminal should have more weight in determining his sentence than the specific offense for which he is convicted.

"Fitting the sentence to the criminal requires scientific study of him. It is only in rare cases that the judge assembles the varied information required to state such expert opinion—the variations in the sentence are determined largely by the temperament of the judge. Either injustice to the criminal or danger to society may—and does—result from this club-footed method of handling crime and criminals. In the interest of both the criminal and society the sentence ought to be scientifically determined.

"But even if the judge assembled complete information for a social diagnosis of the offender he could not then fix an accurate definite sentence. The effect of imprisonment is different on different men. One might be sufficiently adjusted to be paroled in a year whereas another one would require five years. All the judge really can do is to determine guilt or innocence. The law should be changed to abolish all definite sentences, determinate or indeterminate, or the sentencing power should be removed from the judge. Many judges would undoubtedly be glad to be relieved of a duty which they know they can perform only in an unsatisfactory way."*

*From "Fit the Penalty to the Criminal" by Paul V. McNutt in the New York Herald Tribune Magazine, October 14, 1934.

Lewis E. Lawes

"The sentencing Board will naturally find here and there an individual who needs special attention. He may be the mental defective and should be cared for in an institution for the criminal insane or a home for mental cases. He may be a hopeful case that requires training for a definite vocation—a failure of our public school system—or he may be suffering from a physical ailment. It may be that he lacks social resposibility beyond hope of early correction. These need institutional care. They should therefore be segregated. **No human mind, be he judge, prosecutor psychologist or psychiatrist, can determine in advance how long it will take to correct these faults.**"*

As is clearly indicated by the foregoing statements by State Governors and by specialists in the field of Penology, the "fixed" sentence places upon the State officials who seek to rehabilitate or reform the offender against society two severe limitations: first, if a man is sentenced, say, for twenty years, and he knows that even if he gets "good time" he must serve at least fifteen years of the twenty year sentence, he is in no mood to cooperate in a program looking to his rehabilitation or "cure" of his moral or social illness. In the second place, the prisoner is more acutely aware than anyone of the fact that our present method of sentencing results in grave injustices. He, who before all others, is expected to have a respect for "justice," comes to the conclusion, to use a phrase of the street, "There just ain't no justice."

The following statement by Austin H. McCormick is most apropos:—**

"**Existing Provisions for the Correction of Youthful Offenders—Sentencing**. Discussion of indeterminate control of youthful offenders under the Youth Correction Authority Act in accompanying articles of symposium reveals the nature of current sentencing practices. Their influence is so far-reaching on all the rest of the correctional process

*From "Twenty Thousand Years in Sing Sing," 1932.

**Published for the School of Law, Duke University, in "Law and Contemporary Problems—The Correction of Youthful Offenders."

as to necessitate a brief discussion here. A recent study of sentencing in federal district courts reveals shocking disparities. A judge in one district would give ten years for a certain offense, while a judge in an adjacent district would give one year. A committee of federal judges, reporting upon this matter to the Judicial Conference of Senior Circuit Judges, has this to say:*

> "Judges who have never studied or visited prisons or reformatories, who never met with parole boards or discussed problems with their members, who never engaged in social work of rehabilitation, and who in their experience have never come into contact with those of criminal tendency are seldom able to do better than guess at what may be a proper sentence."

Without intending, in any way, to criticize the judges of the courts of the State of Rhode Island, I deem it important to give one illustration which has made upon me, as Director of the Department of Social Welfare, a profound impression. Within the past year, a young colored man, age 22, was sentenced by the courts of Rhode Island to two concurrent sentences of forty years. While he did not take the life of a fellow human being, it is true that his offense outraged the community. He, with a group of other boys, formed a gang which repeatedly held up people in automobiles, very frequently slugged them with a sort of black-jack, and then took from them money or other possessions of value. The colored boy in question came from a very poor family, and, in his childhood and early youth, had been deprived of practically all the advantages and opportunities available to youth in even the poorer class of our citizens.

The interesting point follows: On Labor Day of this year, 1943, the Prison baseball team had a game with the Quonset Point team. Baseball fans know that the Quonset Point team is one of the best teams, other than a professional team, that we have had in Rhode Island in a long time. It happened that the Quonset Point pitcher, this Labor Day afternoon, was a young man who had been "scouted" by the Philadelphia Athletics to join that team, but had enlisted in the Navy. The Quonset

*Report of the Subcommittee on Sentencing of Adult Offenders, Report to the Judicial Conference of the Committee on Punishment for Crime (1942).

Point team had been well trained by an athletic director. It was clear from the start that the Prison team was under severe handicaps. For five innings, this colored boy held the Quonset Point team to one hit, and struck out eight men. Anyone who has had any experience in baseball knows this was a major achievement.

The colored boy knew he was backed by an inferior team. He realized that everything depended on him. Yet, he showed courage, fortitude, keenness of judgement and real mental capacity in this performance. Every reader of this Report has seen, at the end of a baseball game, when a pitcher has made an outstanding performance, how his team mates gather around him, oftentimes placing their arms around him as the "Hero" of the day. This happened in the case of the colored boy on Labor Day.

I was thinking of his forty year sentence. Not only I, but, I am sure, five hundred prisoners, including his team mates, were thinking at that moment of the forty year sentence. They knew this boy had something. That these men in prison at that moment were resentful against the type of justice of this character is not surprising.

Anyone who becomes acquainted with inmates of prisons knows that prisoners, generally speaking, are not too resentful because they have been "caught" and "convicted." When, however, they see a long-term sentence given to one man on the basis of what appears to them to be "social revenge" and "retribution" and another man who is guilty of a like crime given a short term, they are justifiably resentful.

The same resentment arises in the prison when, either through "influence" or through lack of knowledge, a man is released on parole who the inmates of the prison know is undeserving of release and on the same day a man who the inmates realize is deserving of release is denied parole. Resentment against such injustice runs through the prison like a prairie fire.

These are the considerations which lead a man like Mr. Bennett, Director of the Federal Bureau of Prisons, and practically every enlightened prison administrator, as well as all special-

ists in this field, to the conclusion that the "indetermniate sentence" is, as Mr. Bennett says, the keystone in an Integrated Program looking to rehabilitation of men.

Recommendations as to Sentencing

Youth Offenders—Method of Sentence

Youthful offenders between the ages of 16 and 24 shall, in cases of major offenses such as felonies, be indicted, tried and convicted under the existing criminal statutes, with certain exceptions hereinafter noted. Upon conviction, it is recommended that the trial judge shall commit this class of youthful offender to the Youth Division of the Correctional Authority for an undetermined sentence, the maximum not to exceed six years.

The Youth Division of the Correctional Authority, to which the courts will commit under such an "indeterminate" sentence all youths between the ages of 16 and 24, shall have wide discretion with respect to the disposition of the youth. The Authority may send the boy back to his home on probation under the supervision of the Division of Probation and Parole, may place him in a foster home or "detention" home under the supervision of the Division of Probation and Parole, may place him at work on a farm under the supervision of the Division of Probation and Parole, or may place him in one of two training and correctional schools. These training and correctional schools will be hereinafter described.

It should be borne in mind that under the system herein proposed the judge never commits a youth to an institution. The commitment is made to the Correctional Authority. This Correctional Authority has open to it the widest variety of treatment and dispositions. The cardinal principle of such a system is that each step in the process, from the time of sentence to the period of ultimate release from the care or custody of the Authority, is conditioned by the preceding step, and one naturally follows after the other. In consequence, generally speaking, the Correctional Authority, where it has placed a youth in an institution, would not, as a rule, give him an unconditional release at the gates of the institution, but would place

him on parole under the supervision of the Division of Probation and Parole, which would be the final process in the course of treatment. There might be exceptions made to this rule, especially where a boy had an opportunity to go into the Army or Navy, or into some other form of government service, and the Authority, acting upon the advice of the clinic, deemed such a step advisable. The advantage of having the majority of such offenders for a period under the Division of Probation and Parole will more fully appear when we discuss in detail the functions and operations of that division.

Avoidance of Criminal Trial for Certain Youthful Offenders

It was recommended above that youths indicted for a felony in the age group 16 to 24 years should be tried in the usual manner by the criminal courts, and, when convicted, should be committed to the Youth Section of the Correctional Authority on an indeterminate sentence. It is recommended that there might well be certain exceptions made to the criminal procedure. There may be certain cases where the Attorney General, in his investigation of a youthful offender who has either pleaded guilty or whose guilt is practically certain, may desire to call upon the advice of the Correctional Authority as to whether the youth in question should be subjected to a criminal trial. After a study of the case, the Correctional Authority could give advice requested by the Attorney General. In the event the Attorney General should then decide that the chancery procedures of the Juvenile Court System, as distinguished from the "criminal" procedure, was in the interest of the youth, the Attorney General could turn the case over to the juvenile court judge. The juvenile court judge, after an informal hearing, could then commit the youth directly to the Youth Section of the Correctional Authority.

This recommended procedure raises certain constitutional questions, viz., the right of a youth who has reached his majority to indictment by the grand jury and trial by a jury of his peers. Courts of last resort have decided that in case of juveniles under 21 years of age, the State stands in the position of "loco parentis" and that up to his majority a youth has not the constitutional right of indictment by grand jury or trial by a jury of his peers.

Certain decisions of the Supreme Court of the State of Rhode Island would seem to indicate that a youth of 21 years of age or over has the constitutional right of indictment by the grand jury and trial before a jury of his peers. In consequence, in order for the youth 21 years of age or over to have the advantage of the informal chancery proceedings of the juvenile court, he would be required to waive his constitutional rights as hereinbefore mentioned.

Adult Offenders—Method of Sentence

All adult offenders 24 years of age and over convicted by the criminal courts, to whom the judge believes a sentence of more than one year should be given, shall be committed to the Correctional Authority.

The trial judge may excercise his discretion in the following manner:

1. He can place the individual on probation. In such case, it is recommended for Rhode Island that the offender, on probation, shall become subject to the complete jurisdiction of the Correctional Authority, which Authority will have general supervision over the Division of Probation and Parole.

2. The trial judge may in his discretion commit the offender to the Correctional Authority with an order that the Authority will have full jurisdiction over the offender, subject to the maximum sentence fixed by law.

3. The trial judge may fix a definite sentence, which shall be the maximum provided by law, requesting the Authority for advice after the Authority has made a ''diagnosis.'' In such case, within six months, the Correctional Authority to whom the offender is committed shall submit to the trial judge a report recommending to the judge (a) that the offender be given an indeterminate sentence, or (b) that the maximum sentence imposed by the judge shall be a fixed term of years—either the ''maximum'' or a lesser term. It shall be within the discretion of the judge to either approve or reject this recommendation of the Correctional Authority.

As stated above, to achieve the social objectives of the Correctional Authority System, **''the indeterminate sentence''**

is the cornerstone of the whole system. Recognizing that the judges, the legislature and the public may not be quite ready to adopt in full the scientific principles underlying the "indeterminate sentence," the foregoing modified form of indeterminate sentence with respect to adult offenders is recommended.

The door should be left open, however, when a "fixed sentence" is made in the manner above described, for future modifications of such "fixed sentence." It shall be the responsibility, therefore, of the Correctional Authority, periodically, at least once a year, where a fixed sentence has been pronounced, to report to the trial judge with respect to the progress the prisoner has made, if any, and periodically the Correctional Authority can recommend to the trial judge further modifications of the "fixed sentence" previously made.

As in the case of the youthful offender, the Correctional Authority should, as a general rule, never give an unconditional release of an adult offender from the institution to which he has been committed without a certain period in free society under the supervision of the Division of Probation and Parole.

Classification

The plan herein proposed contemplates complete scientific diagnosis and "classification" of the offender, whether he be a juvenile offender, a youthful offender, or an adult offender.

The space of this Report will not permit too lengthy a discussion of this all-important phase in the new approach to the offender against society. It must be borne in mind that the whole basis of this system rests on scientific facts and on well-established statistical data with respect to the nature of offenders against the laws of society and why they come to do acts which bring them into the toils of criminal law.

The science of Human Behavior, as previously indicated, is extremely complex. There are certain general facts with respect to the nature of crime and the offender which are well supported by statistical data, but which are, in fact, well known to every well educated individual in the community. For example, there are certain individuals who break the law, as

Professor Frank Tannenbaum of Columbia University says, "**by accident, chance and mishap.**" These are not professional criminals. They belong in an entirely different class from the Al Capones and the Dillingers.

It is manifest that if we are to understand why the individual in this class commits a crime, we must get the facts with respect to him in order to understand it. A very simple example will illustrate this type of case. Within the past year, a comparatively young man was convicted of robbing his employer of several hundred dollars. He had it within his power to have taken much more money than he actually took. It appears that he had been married a little over a year, and had obligated himself beyond his means in buying furniture on the installment plan in order to set up a home for his wife. Just before he robbed his employer, his wife expected to have her first baby. He did not know where to turn to get the few hundred dollars that was necessary to give his wife and his expected child proper care, so he took the money from his employer. He was convicted and sent to the State Prison for a term of years. He had not been in the prison very long before he recived a letter from his wife that his baby was going to be born on or about a certain date. She was a young woman, and apparently was dreading the experience of child-birth, and her letter passed her dread and apprehension over to her husband. No doubt, her fear was aggravated by the fact that her husband was serving a sentence in prison. The night after this man received the letter, he tried to get over the wall of the prison. His attempt to escape was a second offense, both of which had as their basic cause the fact that he wanted his wife and expected baby to be properly cared for.

It is true that this man took the wrong course. A Correctional Authority which had made a "diagnosis" and "classification" of such a case might well have decided that, after this man committed the theft in the first place, the worst thing that society could do to him and to his family was to put him in prison.

A second class of case is what might be termed that of the professional criminal. He is the type which is played up by the newspapers. He is the man who has a full kit of expert tools for housebreaking, or, if he is a bank robber, for blowing up a safe with

nitroglycerin. He probably has served ''time'' in the reformatories and prisons of several states. He is in quite a different ''class'' from the chance offender described above. Nevertheless, it is essential that his whole social background should be understood. It is essential that he be given a most complete medical examination, a most complete psychiatric examination. It is essential that he be ''classified'' and proper ''treatment'' prescribed.

There is a third type of individual who is led, in the first instance, to commit crime, in whole or in part, because of certain physical or mental handicaps. James V. Bennett, Director of the Federal Bureau of Prisons, mentions the fact that fifteen per cent of men convicted of Federal offenses are mentally ill.

There are types of people who present, on ''diagnosis,'' a combination of medical, mental, and physical handicaps, plus social maladjustments. We find, in this ''class,'' the feeble-minded, the psychopathic, the individual who was born with homo-sexual characteristics, certain types of sex perverts, the chronic alcoholic and the confirmed prostitute. While they commit what we term crime, they are clearly cases which need medical, psychological, and psychiatric diagnosis, with recommended treatment. Most of them would probably be better off in mental hospitals or highly specialized institutions. None of them should be mixed up with youthful offenders or adult offenders for whom there is a real opportunity for training, re-education and rehabilitation.

Experts in this field of Human Behavior all agree that even such general classifications as hereinbefore set forth do not fully answer the problem. **Each individual differs from the other, and individual diagnosis and classification, with recommended treatment, is extremely important.**

The Classification Center

A proper ''Center'' for ''The Clinic'' is extremely important. In this center, there should be adequate quarters for the administration offices of the three man Correctional Authority. There should be offices for each of the specialists who would comprise the Diagnostic-Treatment Clinic. Of equal, if not greater, importance would be a center or centers where youth-

ful and adult offenders would be segregated and means provided to keep them constructively occupied during the time they were having an individual diagnosis, looking to proper classification and proper assignment to the institution best adapted for such an individual's treatment and training.

Our existing institutions were never constructed from the point of view of a unified system under an integrated Authority working with specialists in several branches of the complex science of "Human Behavior."

The present Reformatory for Men is quite a large structure, and, without too much expense, it is believed it could be changed, under the supervision of an architect, to provide very ample quarters for the three man Correctional Authority and for the specialists comprising the Diagnostic-Treatment Clinic. In addition, segregated quarters could be provided whereby youthful offenders between the ages of 16 and 24 could be temporarily housed while they were going through the process of diagnosis, classification and assignment.

Should the recommendation herein made to take the Providence County Jail out of the State Prison be approved, there would be ample opportunity to take one section of the Prison and segregate adult offenders during the period when they were undergoing the process of diagnosis, classification and assignment.

This is far from an ideal solution, but it is not impracticable from an administrative point of view. The main objective is to have "segregated" quarters for different types of offenders during the comparatively short period when they are undergoing the process of diagnosis looking to future classification and treatment. About four weeks is generally required before assignment to the proper institution, or for treatment outside of an institution.

The Educational and Training Program

It is recommended that sufficient funds be appropriated to enable the Correctional Authority to establish in all Correctional Institutions a well rounded program of education and training.

The general character of such a program will now be discussed. For a more detailed statement, the reader is referred to Appendix IV.

It is extremely interesting, in reading the literature with respect to all types of offenders, to find the great paucity of education which offenders against society have obtained. Throughout the United States as a whole, it appears that the great majority of offenders have never received more than an eighth grade education; a very considerable majority have not received more than a fifth or sixth grade education. The Annual Reports of the Department of Social Welfare for years have shown that few of the men in our State Prison and Men's Reformatory have received an education equivalent to the eighth grade, and most of them less. High school graduates are exceedingly rare in either the State Prison or Men's Reformatory, and a college graduate is even more rare.

It is not necessary to elaborate on the fact that a man today, in our highly competitive society, has not too much chance to make an adequate living when he is handicapped by having an eighth grade education or less. The fact that so many of these drift into methods of living which are outside of the law should be no cause for surprise. What I desire to stress is the social and moral obligation of the people of this state to do everything possible to supplement this deplorable lack of education, when youths and adults are committed to our custody and care. It is not a simple problem with respect to the youthful offender. When one considers the difficulties of taking an adult over 24 years of age and supplementing a fifth or eighth grade education, the task seems almost insuperable.

It should be a source of shame to the State of Rhode Island that it constructed, in 1929, a reformatory for young men at a cost of $500,000 and never provided either educational equipment or educational personnel. I am sure those who voted for that bond issue expected something more than a fine brick structure. The facts are that, from the date of the construction of the Men's Reformatory up to the present time, there has been no academic or cultural educational program, no vocational educational program, no vocational equipment, and no teachers

available either for an educational or vocational program. I cannot agree with the conclusion of my associates that because of this failure to establish an educational and vocational training program at the Men's Reformatory, the Reformatory should be abandoned and that we should take the reactionary step of placing these youthful offenders in the State Prison where they would be inevitably mixed up with all types of confirmed criminals.*

Types of Education

There are two excellent studies by Legislative Commissions of the State of New York on the subject of Education. The first of these is entitled, "A Preliminary Report on an Educational Project at Elmira Reformatory," presented to the Legislature of the State of New York by a "Commission to Investigate Prison Administration and Construction." This report was presented to the Legislature of New York in 1933. The second is a Report presented to Governor Herbert H. Lehman by "The Commission for the Study of the Educational Problems of Penal Institutions for Youth" in New York State, presented to the Governor in December 1936.

It is interesting to note that in both of these reports on the subject of Education, a somewhat wider point of view is taken than the narrow and traditional concept of limiting education to vocational training and special skills. These reports emphasize the necessity of a certain amount of limited academic education in what is known as "The Three R's," reading, writing, and arithmetic. Recognizing the severe limitations upon placing youths and adults back at a desk, pouring over books, these New York Legislative Reports open up several interesting vistas and opportunities.

The most important of these recommendations is the use of motion and still pictures. There is a Chinese proverb to the effect that one picture is worth more than a thousand words. Recently I have read articles with respect to the intensive training that is being given to young men in the Army, where certain

*The Writer in December 1942 presented a dissenting report to the Governor on this recommendation of the Commission. This dissent is set forth in Appendix VII.

technical and specialized knowledge is required in mechanized warfare. I am advised, for example, that in the Signal Corps the use of books has been to a large degree abandoned, and motion and still pictures have been substituted therefor. It is said that men are being technically trained in the Signal Corps and other technical branches in a period of months for what it took years of book training to accomplish previously.

Secondly, these New York Legislative reports emphasize what they term to be cultural and social education. Here again, the motion picture can be utilized to great value. There are many such motion pictures, and still pictures as well, that depict the history of the United States including our cultural and social advance. There are other pictures which show the grea advances that we have made in this country in protecting our natural resources, our forests, our soils, and the advance in scientific and mechanized agriculture.

In a later section of this Report, I will speak on the subject of "Personnel." At this point, I make one recommendation which is of major importance in this field of Education. One of the reasons why, in my opinion, we have failed to have an adequate educational program of a well-rounded character is that no one of our correctional institutions has been large enough, from the standpoint of population, to justify a comparatively large expenditure of money for teachers.

I recommend the creation of an Educational Director and one over-all educational staff.

This director and staff would be under the direct supervision of the Superintendent of Correctional Institutions. It would serve all of our correctional institutions—the Prison; the two institutions for youth as herein proposed, one in the Reformatory and one at Sockanosset School; and also the Women's Reformatory. With one Educational Director and one staff covering all these institutions, the State would be justified in having a sufficient number of competent instructors in the various fields.

Prison Industries and Work

One of the most important phases in a program of "treatment" and "rehabilitation" is Work. It is manifest that a very considerable number of Youth, as well as Adults, find their way into correctional institutions because they have never learned one of life's essential lessons, that of the need for every man to work, the need of every man to play his creative part in the productive life of the community. Only too frequently the offender, especially against the laws provided for the protection of property, feels that he can find the quick and easy way of making a living. His idea is, "Let the other fellow work, and I will take the fruits of his labor."

There is a basic fact with respect to all human beings. That is, man is creative; he likes to build. To deprive a great majority of people of an opportunity to work and create things with their hands or with their minds would be a personal disaster. It is important, therefore, to train prisoners in good Work Habits, and to imbue them with the pride which comes from honest, creative labor.

The Integrated Program herein proposed, with the diversified institutions, will offer opportunities for outside work with respect to many inmates of our prisons which heretofore have been closed. Several progressive states and the Bureau of Prisons of the Federal Government have developed "Honor Camps," whereby inmates are allowed to work on public roads, in clearing forests and wastelands, and even on private farms. This is possible only where there is a proper diagnosis and classification of inmates.

Diversification of Institutions—The Borstal System

It is recommended that the Correctional Authority shall establish in Rhode Island something similar to what is known in England as **The Borstal System.** There is appended hereto Appendix V, a summary of The Borstal System in England as applied to the youthful offender.

Briefly, the Borstal System carries out the conclusions reached by various Legislative Committees and incorporated in the Report to the Judicial Conference of the Committee on Punishment and Crime made to the Chief Justice of the United States and to the Attorney General, and now embodied in H. R. 2140. In essence, the Borstal System contemplates several types of institutional custody and treatment, ranging from an institution of "**maximum security**" to an institution of "**minimum security.**"

In recent years, the Attorney General of the United States and the Director of the Federal Bureau of Prisons have made major achievements in diversification of Federal Prisons. These range from Alcatraz, a fortress of "maximum" security, to Forestry Camps. In the latter, men live in camps, working outdoors, with a minimum of custodial supervision.

In New Jersey, there are two adult male institutions, one of "**maximum security,**" and one of "**medium security.**" In New Jersey also there are two institutions for youth, one of "medium security" and one of "minimum security." We shall speak later of the Annandale Reformatory for youth in New Jersey, a model institution of "minimum security."

It is not proposed, in order to establish the principle of The Borstal System in Rhode Island, to recommend to the Governor and the people of Rhode Island any capital expenditures for establishing new institutions running from "maximum security" to "minimum security." In the course of years, as the basic principles of "classification," "treatment," and "rehabilitation" prove themselves and become established, it may be desirable to plan a completely new institutional set-up. For the present, it is proposed to take our existing correctional institutions and fit them, insofar as it is feasible, into The Borstal System plan.

In order to establish "Diversified Institutions" under the Correctional Authority based on the principles of the Borstal System, the following recommendations are made:—

Youth Institutions (ages 16 to 24)

It is recommended that there be two Youth Institutions: one of ''minimum security'' and one of ''medium security.''

The institution of ''minimum security'' would be what we now know as Sockanosset School for Boys. The institution of ''medium security'' would comprise one wing of the present Reformatory for Men.

Adult Institutions (ages 24 upwards)

There would be three adult institutions:—(a) Bristol Farm for petty offenders and misdemeanants; (b) one wing of the present Prison would be utilized as an institution of ''medium security;'' and (c) one wing of the Prison would be utilized as an institution of ''maximum security.''

In addition to the above, provision would have to be made at Sockanosset School and at the Reformatory for Men for Reception Centers, where, during a period of several weeks, the Diagnostic Treatment Clinic would carry on the functions of ''diagnosis'' and ''classification.'' Provision would also have to be made in the Prison for Reception Centers to carry on these functions of ''diagnosis'' and ''classification.''

It was recommended in the Majority Report that the Soldiers' Home at Bristol be abolished. With this recommendation the writer has agreed, but holds that the Bristol Farm should be utilized as a farm for misdemeanants, and petty offenders.

It was also recommended that all County Jails in the State of Rhode Island be abolished. This would include the Providence County Jail which now occupies one wing of the Prison. This would make space available at the Prison for an institution of ''medium security'' and an institution of ''maximum security'' as above recommended.

While this is far from an ideal application of the Borstal System, it would enable the Correctional Authority to classify adult offenders, placing lesser offenders in one wing of the Prison and confirmed offenders in another. One of the most deplorable situations at present is the mixing of casual and first offenders with confirmed criminals.

When this program is well established and obtains the interest and support of the people, it is highly probable that the present Prison which has been described as a ''walled Bastile'' would be abandoned and several modern institutional buildings would be constructed to house the different types of offenders as classified by the Correctional Authority. This would follow the pattern well established in state mental hospitals, including our own. Anyone visiting the State Hospital for Mental Diseases would see eight or ten buildings ranging from ''minimum'' to ''maximum'' security. No modern mental hospital would consider for a moment placing a young man, for example, who had a slight neurosis, which, after treatment, could be cured, with violent mental patients who have confirmed brain lesions or brain deterioration.

We will briefly discuss Sockanosset School as an institution of ''minimum security'' and the Reformatory for Men as an institution of ''medium security.''

Sockanosset School—Recommended as Institution of ''Minimum Security''

Under the present correctional set-up in Rhode Island, we have two male institutions: (1) Sockanosset School for Boys, located approximately a half mile from the reservation at Howard but completely separate from the reservation at Howard; 2) The Reformatory for Men, located on the reservation at Howard opposite the State Prison and County Jail.

As is well known, the Sockanosset School for Boys is an unwalled institution. It has five cottages, easily susceptible to housing thirty boys each. In addition to the cottages, it has excellent recreational facilities, and educational facilities and equipment which, if not excellent, are at least good. Attached to Sockanosset is a farm, comprising fifty acres, which would afford excellent work opportunities for youths between the ages of 16 and 24.

It is recommended that Sockanosset School under the supervision of the Correctional Authority be made into a Borstal institution of ''minimum'' security (age group 16–24).

The facilities at Sockanosset would make it possible to do in Rhode Island what is done at the Annandale Reformatory in New Jersey. The following statement of William Healy, M. D. and Benedict Alper is of special interest:—*

"The device of classification has been heralded as providing the solution of the problem created by concentration of these huge numbers of men behind the reformatory walls. Some of these institutions compile the most comprehensive, most carefully verified case histories to be found in any prison system in the world. The value of these standards is largely limited to their use by parole boards. Some of our best reformatories know many important facts about their inmates, and can classify them into finely shaded differentiations. When this is done, they are then at a loss to know how to deal with them; facilities are limited and segregation of the several main groups into separate wings or sections of the institution for living purposes does not prevent their intermingling at work, at meals, during recreation and assembly periods, and in hospitals. Emphasis upon individualization has carried us through the stages of investigation and classification. **A penological science of diagnosis has made great advances and awaits now only the time when it may be given the opportunity to experiment with and to apply various treatment methods.....**

"In this regard, the institution at Annandale, New Jersey, which one of us recently visited for the purpose of this study, is particularly deserving of notice. This reformatory deals with a group of offenders between sixteen and twenty-six years, with a median age of nineteen. The population is not large—an average of about 450 inmates. The division of the institution into eight cottages, accommodating from fifty to seventy men each, provides an opportunity for **classification and for something other than mass handling.** Situated in the open country, the institution is without walls or enclosing fences.

"The Division of Classification and Education in the State Department of Institutions and Agencies decides, on the basis of study and investigation, whether an offender is better suited for treatment at Annandale Farms or at the walled reformatory

*Healy, William, M. D., and Alper, Benedict S., "Criminal Youth and the Borstal System," The Commonwealth Fund, New York, 1941.

at Rahway which accommodates men between the ages of seventeen and thirty. Cases committed to either of these institutions may be transferred to the other by order of the Commissioner of Institutions and Agencies.''

Present Reformatory Recommended as Institution of ''Medium Security''

The Reformatory for Men, which was constructed in 1929 as a result of a bond issue voted by the people of $500,000, was originally designed as a ''Reformatory'' for young men between the ages of 18 and 30. As appears from the Report of my associates, the Reformatory for Men has largely failed of its original purpose, namely to reform and rehabilitate young men between the ages of 18 and 30. It has largely been a custodial institution. The reason for this failure is clear. In the first place, there has never existed a complete program of training, education and rehabilitation. It has had no vocational training equipment or instructors. It has never carried on any academic or cultural training program. It is fair to say, however, that with all of this lack, young men at the Reformatory have been given in the past, and particularly in the present, considerable training in good work habits. This is due to the fact that these young men have been given work on the institutional farms, at the institutional bakery, at the institutional garage, and various outside maintenance work on institutional buildings.

There would thus be, under the Correctional Authority, **two institutions** for youths between 16 and 24. The first would constitute Sockanosset, the institution of ''minimum'' security. The Reformatory Wing would be an institution of ''medium'' security. It is probable that there would be a limited number of young men between the ages of 19 and 24 who have bad criminal records (recidivists) and who have been convicted of major offenses. The Correctional Authority would have the discretion of utilizing the State Prison for such a type of youth, thus placing him in an institution of ''maximum'' security.

The Correctional Authority could, in its discretion, originally assign youths between 16 and 24 (a) to the institution of ''minimum'' security; (b) to the institution of ''medium'' security; or (c) to the institution of ''maximum'' security. Under the flexibility of such program, a youth could be gradu-

ated or promoted, so to speak, from ''maximum'' security to ''medium'' security and from ''medium'' security to ''minimum'' security, and from ''minimum'' security to free society under parole.

The Abnormal Offender

It must be emphasized that we are proposing a program for youth which is based upon the assumption that the majority of young men between the ages of 16 and 24 who commit anti-social acts have been previously ''conditioned'' because of a bad social or economic environment. Otherwise than the fact that they have developed anti-social traits and habits, they are normal.

It is a basic principle in this whole program, and it is well recognized in England in the Borstal System, that a boy, to be ''re-conditioned'' so that he can be rehabilitated and safely returned to society, must be, generally speaking, normal. This is true also of the adult offender. The system, therefore, must give consideration to the abnormal cases. It is clear that the whole program of treatment, training and education will break down if normal boys are mixed with the class of case which is distinctly abnormal.

Dr. William Healy, head of the Judge Baker Guidance Clinic, has given very special consideration to the abnormal offender. Dr. Healy has this to say with respect to this particular kind of offender:*

''**Treatment of Abnormal Personalities.** Now we come to one of the most difficult problems to be met in dealing with offenders, a problem not solved at all, even by the Borstal System. Indeed, through not having psychiatric diagnostic studies of their offenders, the problem is not faced there. Undoubtedly, as elsewhere, the abnormal personalities account for a very definite percentage of the failures. The fact is that after a diagnosis is carefully arrived at, certainly of one type, namely, the too loosely termed psychopathic personalities—better designated as those who are abnormally unstable egocentric personalities—everyone is at a loss to know what to do about treatment.

*''Law and Contemporary Problems—The Correction of Youthful Offenders,'' School of Law, Duke University, Vol. IX—Autumn, 1942—No. 4.

The records of recidivism of such individuals show that society would best protect itself by their prolonged segregation. Experiments are under way in some federal correctional institutions in this country to see whether under very special forms of treatment such individuals can gain enough insight to comport themselves better in the prison regime. But how, after such treatment, they will behave when again free cannot as yet be predicted.''

The foregoing cases present very specal problems, whether they fall in the youth group or in the adult group hereinafter to be discussed. This type of case is not susceptible to treatment, education or training except in Exeter School, the Mental Hospital or a specialized institution.

Special Institutions

There are certain types of acts which are defined as ''misdemeanors'' or ''petty crimes,'' which, in the opinion of experts, might well be eliminated from our criminal statutes. Our jails, for example, are filled with chronic alcoholics, who are, generally speaking, completely ''down and out'' and perpetual vagrants. In Rhode Island, as in other states, this poor unfortunate class of our community is convicted over and over again for short periods of time and sent to our county jails. Warden Cranor tells me that there are cases of these—vagrant alcoholics—who have served as many as sixty short sentences in the Providence County Jail in the course of a short period of years. Most of these cases should be considered as hospital cases. A very considerable majority of them could be treated at the Clarke General Hospital, which, under the proposal of this Commission, is to have a special clinic for the study and treatment of chronic diseases, including alcoholism.

A second case is that of the confirmed prostitute. She, again, like the confirmed alcoholic, finds herself repeatedly sentenced to jail or the Women's Reformatory for comparatively short periods. The majority of modern penologists are of the opinion that prostitution is a ''socio-medical'' problem rather than a problem for the criminal courts. Rhode Island is fortunate, in normal times, in having a very small number of professional prostitutes of this character.

Both the chronic alcoholic and the prostitute have, generally speaking, a complication of diseases and infections which make it highly undesirable that they be mixed up with other petty offenders and misdemeanants.

In the course of time the Correctional Authority, with the support of the public, might well provide special institutions for this group.

Reformatory for Women

I am in full accord with the recommendation in the Majority Report with respect to the Reformatory for Women. The present quarters of the Women's Reformatory are in one of the oldest buildings at Howard, in juxtaposition to the quarters for the "criminally insane," and are wholly unsuitable. There is considerable doubt in my mind whether Rhode Island would be justified in making any capital expenditure to build a new Reformatory for Women.

In normal times the population at the Women's Reformatory has been between 20 and 30. Of these, the great majority have been sent to the Reformatory because the women are vagrants, confirmed alcoholics or prostitutes. Rather than building a Reformatory for Women, it might be wiser to build two specialized hospitals to treat the prostitutes, the alcoholics and the vagrant adult women.

Release Procedures—A Scientific Method

We have seen that a scientific approach to the offender against society requires "an integration" of all procedures under one Correctional Authority. We first discussed integrating sentencing procedures under a proposed Correctional Authority in conjunction with the judiciary. We then discussed "diagnosis" and "classification" immediately following commitment to the Authority. We then discussed the character of training and education in order to change anti-social behavior patterns and develop a socialized individual prepared to enter free society on equality with his fellow citizens. This brings us to a scientific and objective method of "**releasing**" the offender from the institutions. Here again, in order to achieve "integration," it is essential that "**release**" from the correctional institutions should be under the control of the Correctional Authority.

So important did the Attorney General of the United States consider this subject, that sometime prior to 1939 Attorney General Homer Cummings, with the aid of the Works Projects Administration, made an exhaustive survey of release procedures in federal courts and in the states of the nation.*

The extent of this survey may be recognized when we realize that it was published in five large volumes. In commenting on the survey, Attorney General Homer Cummings said it was a lamentable fact that "widely varying methods of administering these procedures prevail in the various jurisdictions, state and federal." The conclusions of this survey were that release procedures should be made on a scientific and objective basis.

Existing Release Procedures in Rhode Island

In the State of Rhode Island, we have three types of releasing authority: (1) The Governor has a right to pardon offenders, with the approval of the Senate; (2) for the State Prison there is a Parole Board, comprising the Governor, the Attorney General and three laymen appointed by the Governor for overlapping terms; (3) we have the Reformatory Parole Board which, under the law, comprises three men appointed by the Director of Social Welfare with the approval of the Governor.

In the system herein proposed, which follows very closely the system proposed for the Federal Correctional Board now pending before Congress, it is obvious that the "indeterminate sentence" or a modified form thereof, which keeps the term of sentence at all times flexible, is as important in this field of "release procedures" as it is in the training and rehabilitation program. The whole concept of the training and rehabilitation program is to change the habits and social point of view of the offender and bring him to the point where he is ready for a trial period in free society. The fixed sentence nullifies this whole concept of training and rehabilitation, and is a major obstacle in reaching this highly important social objective.

If we are to treat the matter scientifically and objectively, the power to release should be in the same Authority which trains and re-educates the offender.

*"Attorney General's Survey of Release Procedures"—Department of Justice, Washington, 1932.

This principle has long been recognized in hospitals for mental diseases. While a man may be committed for mental disease by authority of the courts, the time of his stay in the hospital and the time of his release is determined by the trained psychiatrists who have been seeking to cure his mental illness and rehabilitate him, both physically and mentally. The ordinary procedure in a mental hospital is for members of the Diagnostic Clinic to decide this all-important matter of the release of the man who has been mentally ill.

No matter how socially-minded the Governor of a state may be, or an Attorney General, or three laymen, it should be obvious that they are not in a position to make the same objective and scientific judgement as the specialists who have been treating and training the offender.

Recommended Release Procedure

It is recommended that the Correctional Authority shall have the power to determine the date of release of (a) all those belonging to the ''youth group''; and (b) the Authority would have the power to determine the date of release of the ''adult group'' subject to the modified form of ''indeterminate sentence'' herinbefore recommended.

In all cases of ''release,'' the Authority should act upon the advice of the members of the Diagnostic-Treatment Clinic. The Clinic would, prior to recommending ''release'' to the Authority, make a thorough review of the individual's case. It is important to bear in mind, in this connection, that the Integrated Program herein proposed contemplates both for Youth and Adults a series of diversified institutions ranging from ''maximum'' to ''minimum'' security. In all probability, the offender, prior to coming up for consideration as to ''release,'' would have graduated from an institution of ''maximum'' security to one of ''minimum'' security. In both the institutions for ''medium'' and ''minimum'' security, he would have had many opportunities to work outside of the institution, on the farm, in maintenance of public buildings, on public roads, and even in forestry camps. It will be seen, therefore, that the Borstal System of diversified institutions is tied up intimately with a scientific system of ''release.''

Supervision After Release—Division of Probation and Parole

Equally important with the training and rehabilitation program during the offender's period of treatment in custody is the period during which he is put "on trial" in free society under the supervision of the Division of Probation and Parole. It is highly important that this division should be integrated with the correctional system. Therefore, in the Integrated Program for Rhode Island, it is recommended that the Division of Probation and Parole be under the supervision of the Correctional Authority.

In a previous portion of this Report, it was recommended that we leave the trial judge the existing power and discretion to place adult men on probation in lieu of sending them to an institution.

Adults placed on probation should be under the jurisdiction of the Correctional Authority and not under the jurisdiction of the judge who places them on probation; otherwise, the desired integration would have a serious gap. Attention was also called to the fact that there were nearly twenty-five hundred or more men under the supervision of the Division of Probation and Parole, as compared with some seven hundred fifty in our correctional institutions. The Correctional Authority could utilize the Division of Probation and Parole with the highest degree of flexibility under the procedures here proposed with an indeterminate sentence, and a flexible release system.

The system herein recommended of placing practically all prisoners on parole for a period would get rid, for all time, of one of the most anti-social practices which has prevailed in prisons of the United States, including Rhode Island, from time immemorial. This practice is a direct result of the "fixed" term of sentence. It is to give a man a shoddy suit of civilian clothes and five or ten dollars in cash, and throw him on the mercy of the community without any guidance or help to readjust himself into free society.

The danger of this, and, I might say, the cruelty of turning a man loose with ten dollars in his pocket after he has served a long term in prison, is manifest.

The following statement by John Barker Waite, Professor of Law, University of Michigan, indicates a rich field for the Correctional Authority:—

"**Assistance After Release**—In the way of provision for assistance to persons who have been released from imprisonment, the Correction Act is far ahead of existing legislation; but not at all in advance of what all students of the problem have been advocating. The point is that when men are released from prison into social freedom, they face a problem of honest livelihood far more difficult than anything they have experienced before. The man who never has been in jail treads a primrose path of life compared to the rough course which the 'ex-convict' must struggle through. The latter has been 'out of work' for months or years, and it is difficult enough in normal times for even a man with a good reputation to thrust himself back into a place of employment. Many large employers have an established policy of refusal to employ ex-convicts at all; small employers fear to do so. In times of war 'defense industries' close their gates to him; the army and navy are forbidden by statute to accept him as a volunteer for death.

"Large-scale offenders who have embezzled thousands or have mulcted investors of millions may get jobs as managers of some friend's country estate, or may even be met at Nashville station by a brass band and an automobile parade. But for every one so welcomed, thousands are finally released with no money, no job, and no prospect of one. What friends they have are the associates with whom they originally embarked into crime; they are the friends—and the repeated influences toward repeated crime—to whom the released convict must return. **It is the writer's guess—there are no data from which to do more than guess—that this one factor, the factor of lack of real assistance in honest living after release, accounts far more than any other one circumstance for the appalling percentage of relapse into fresh criminality.**

"Existing law, except in two states, makes no real provision for help to the released convict. The conventional statute is like that of Washington which provides for each discharged

convict a suit of clothes to cost not more than $10., transportation by the cheapest route to place of sentence, and $5. in money. The Florida statute adds insult to injury by saying that the $5. is given him 'to provide the necessities of life until he can procure work.' Five dollars in these days for that purpose! In his $10. suit, without money for the necessary tools of his trade, without money for the union dues without which his labor leaders will not permit him to work, what can he do but hope that this time he will not be caught?''*

One of the most important functions of the Division of Probation and Parole in this system would be to re-establish the parolee into the community. It could assist him in finding a job. If he or his family required financial aid, his case could be brought to the Division of Public Assistance of the Department of Social Welfare.

We have in Rhode Island, on the whole, an admirable Division of Probation and Parole. This is evidenced by the fact that it is found necessary to revoke probation and parole in only approximately six cases out of a hundred.

One admirable feature of our Division of Probation and Parole is that it is state-wide and centralized in one division under an administrator. Another admirable feature is that the administrator of the Division of Probation and Parole, and all parole counsellors, are chosen as a result of state-wide open competitive examinations instead of on a political basis as exists in many states.

In a later portion of this Report dealing with the subject of ''Personnel,'' stress will be laid on professional training for all the personnel in our correctional institutions. It is lamentable that the position of a probation and parole counsellor has not reached the point where it is recognized as a profession. In my opinion, it is equally important to train men for this profession as it is to train men for the profession of law. We all know the high standards which are required before a man can enter the legal profession in this state and in most states of the union. In most cases, he is a graduate of a college and thereafter a graduate of a law school. He then is required to pass a very stiff examination before he can become a member of the bar.

*''Law and Contemporary Problems—The Correction of Youthful Offenders,'' School of Law, Duke University, Vol. IX—Autumn, 1942—No.4, p. 611.

We should not have lesser standards for these probation and parole counsellors, into whose hands we place the very lives and destinies of men whom we seek to rehabilitate and adjust into free society after they have become offenders against the legal codes.

In this field, the State Security Council as proposed herein could do much constructive work in breaking down public prejudice against a man who has served a prison sentence. As long as the community's attitude is one of punishment, revenge, and retribution, so long will society fear the man who has been convicted of a crime and served a prison term. How unwarranted that attitude is, we can realize if we bear in mind that about 75% of men convicted of felonies in Rhode Island never go to prison, but are immediately placed on probation.

Guards and Custodial Officers

It is apparent, as we review this Integrated Program, which has as its foundation the science of Human Behavior and the sound scientific conclusion that by proper diagnosis, classification and treatment anti-social behavior patterns can be altered, that the former emphasis on the prison as a place of ''custody'' and ''protection of society'' against dangerous men shifts to the emphasis of individual treatment looking to ''rehabilitation'' or ''cure'' from the social or moral illness. However, especially in the institutions of ''maximum'' security, we cannot overlook this principle of custody and protection. Therefore, we must have an adequate number of ''prison guards'' and ''custodial officers.'' It is of the utmost importance that these guards and custodial officers should be a higher type of man than what has been the prevailing conception of a prison guard. Not only so, but these custodial officers should be given opportunity of having special training for this important function. The training schools which now exist in great metropolitan areas like New York City for police officers, and the training schools which exist in most states, including Rhode Island, for State Police, well illustrates the type of training which a prison guard should receive.

Under this type of program, the Guard should be trained so that he will understand the scientific methods and the social

objectives of a program which looks to rehabilitation of men and changing anti-social patterns to social patterns. There is no reason why, with proper salaries, with opportunities for training, and with a new public attitude toward the correctional institutions, we could not attract men of education and character to the position of prison guard. The high type of man who is attracted to the New York State Police force is evidence in point. Austin H. MacCormick, speaking on the subject of Personnel, says:

"**The Importance of Institutional Personnel**—No correctional system is better than the personnel that administers it, but the right kind of personnel can do wonders to overcome the physical and organizational handicaps to effective rehabilitation. There was a time when the public could easily be fooled by a showy plant and formally laid-out grounds into thinking the state had a successful reformatory. We have since learned better, although some state institutions have been built in recent years with the aid of federal funds which now stand as reminders of how futile it is to set up a beautiful plant and staff it with inadequate or incompetent personnel. Although the proportion of professionally trained persons in reformatory staffs is much greater than in prison staffs, few states have as yet been able to attract personnel with the high quality of human sympathy, intelligence and training essential to help boys find themselves. The old custodial tradition still lingers and it is a constant battle to keep staffs from falling back on easy terms in which, for instance, inmates are forbidden to talk or act naturally because natural behavior demands increased alertness of the staff."

Prevention At The Age of Youth

I wish that everyone reading this Report might take the opportunity to read some outstanding contributions in this particular field with respect to the juvenile and youthful offender. Without question, we must solve the problem of the youthful offender if we are going to **prevent criminal careers and reach any constructive solution of the problem of cirme in the United States.** Any one of the following books and pamphlets would be sufficient to convince every reader of this Report that the program herein proposed is so sound that it should be adopted in Rhode Island without delay. I refer, particularly, to the

book by Leonard V. Harrison, "Youth in The Toils," published several years ago by MacMillan Company. It was this book which, more than any other, interested men like John D. Rockefeller, 3rd, Walter Gifford of the American Telephone and Telegraph Company, and, eventually, the American Law Institute, to tackle this problem. It was the source from which eventually grew the model Youth Correction Authority Act. Succeeding pamphlets by Mr. Harrison, published by the Committee on Youth and Justice of the Community Service Society of New York, of which John D. Rockefeller, 3rd, is Chairman, are "Preventing Criminal Careers," "Prisons Cost Too Much," and "Chaos in Sentencing Youthful Offenders." These are well documented booklets, based on research and actual statistics.

The reports and published studies by Dr. William Healy and his associate, Dr. Bonner, of the Judge Baker Guidance Clinic, also show how important is the critical period of youth. These reports of Healy and Bonner are based on thousands of actual cases which have come before this Guidance Clinic, many of them having been sent to the Clinic by the Juvenile courts of the State of Massachusetts. The book by William Healy, M. D., and Benedict S. Alper, "Criminal Youth and the Borstal System," as to how the English people have attacked this problem of the youthful offender, is also a cornerstone of constructive information. The report of the study made by a Legislative Commission in the State of New York, of which Benedict S. Alper was Secretary, released in the year 1942, demonstrates, as do the other publications, that the youth, in the critical period of adolescence between sixteen and twenty-four years of age, constitutes the focal point of crime. This report is entitled, "Young People in the Courts of New York State."

This subject of the youthful offender and the importance of preventing criminal careers in the plastic adolescent period is of such significance that in Appendix VI there are set forth a number of significant statements on this subject.

Cost of Program

Many of our citizens who take the trouble to study this proposed Integrated Program will, no doubt, agree that it is

based upon sound scientific principles. They will no doubt agree that it has a fine social objective,—the rehabilitation of men. The question will arise, with some at least, ''Can Rhode Island afford it?'' It may be argued that the cost of the War has been so great, the citizens of the State will be faced with large Federal taxes for many years to come. It will be said that this is no time to increase the State tax burden, even for such a highly desirable program.

At this point, may I refer to certain data which was given in the Introductory Chapter of this Supplementary Report. It was there pointed out that we had, as of the date of this writing, 2,480 individuals convicted of crime on probation and parole, compared to 745 in all of our correctional institutions. It was stated that it costs an average of $566.39 a year to keep a man or a boy in a correctional institution as against $42.63 a year to supervise the same man or boy on probation and parole. We conclude, therefore that if we had no probation and parole system and all of those now on probation and parole were in prison or a reformatory, it would cost the taxpayers of this state $1,298,924 more than it does under our present system.

One of the chief accomplishments which will inevitably result from the Integrated Program herein proposed is that our population in correctional institutions will be further reduced. With the great flexibility of disposition given to the Correctional Authority, many of the youths and adults previously committed to institutions will be placed immediately on probation. Under the system of ''treatment'' and ''release,'' the number of men released from our correctional institutions will be proportionately greater. If we reduced our population in correctional institutions by only one hundred, we would save approximately $50,000 each year.

There was cited above the case of the colored boy who was sentenced to the State Prison for forty years. In view of the fact that it costs in excess of $550 a year to care for an inmate of a state prison, this boy, in the event he serves his full term, will involve an expense to the taxpayers of approximately $22,000. This young man, if he serves his full sentence, will be 62 years of age when he is released. It is apparent that from the date he is

released until his death he will be a state charge. Under the old-age assistance program, he would receive approximately $300 a year. Assuming he lived fifteen years, that would be an additional expense to the taxpayers of $4,500, or a total in excess of $26,000. This large sum of money would be expended, not with a view to ''rehabilitation'' of a young man of great potentialities, but rather from a standpoint of ''retribution'' for his offense.

Under the proposed system, the colored boy would undoubtedly be placed on parole in five or six years, and, being a man of his ability and potentialities, would undoubtedly become a useful citizen, adding to the productive wealth of the State rather than being a burden on the taxpayers to the extent of some $26,000.

What is Crime?

When one raises the most basic question of all, ''What is Crime?'' there opens to view a problem of the first magnitude. Students of criminology have repeatedly pointed out that the major types of anti-social conduct, those acts of a predatory character which cost society most, very largely escape the net of criminal justice, so-called. The following statement, made by Barnes and Teeters, is in point:*

> ''It is usually believed that the seriousness of a crime with respect to its damage to society is the test which sets off criminality from other forms of anti-social conduct. This should be the case, but it is not in so far as we allow the criminal code to determine what we regard as crimes. Many crimes listed are on the statute books solely because they were acts socially disapproved a century or more ago. They may not be at all serious offenses against the well-being of society. Other crimes are included because of the distorted fanaticism of ignorant or biased groups. Many of the more disastrous forms of anti-social behavior are not even regarded as immoral, to say nothing of being criminal. This is so because the dominant groups in society still approve such behavior. This fact is reflected in Bernard Shaw's quip that if a man steals a loaf of bread he goes to prison, while if he steals a railroad he is likely to go to Parliament.''

*Ibid.

The limits of this Report will not permit a long discussion of this all-important subject. The facts are that in Rhode Island and in other states, the majority of men convicted to penal institutions are convicted of theft, robbery, or various forms of assault against the person. Penologists point out that hundreds of millions of dollars annually are mulcted from the public by various schemes, many of which are not classified as "crimes" in our criminal law, but which constitute anti-social conduct. Criminologists also point out that hundreds of thousands of lives are taken by anti-social schemes, most of which are not classified as criminal acts.

We badly need, in Rhode Island and in every state of this union, a survey of this subject of what types of anti-social conduct should be designated as crimes. As Barnes and Teeters well say, many crimes listed on the statute books are there because they were socially disapproved a century or more ago. By the same token, many forms of anti-social conduct which are depriving our citizens of both life and property are approved moral behavior.

We cannot go very far in a program of rehabilitation until our system of criminal justice is really one of complete justice, and brings to the bar every type of injurious anti-social conduct. The chief justification for an anti-social act which the criminal has lies in the fact that our system does not bring into the net many of the chief malefactors.

Before concluding, there are several other aspects of our system of criminal justice which require overhauling. I shall mention but three of these:— (a) the long delays which, too frequently, occur between the time a man is arrested and the time he is brought to trial; (b) the system of bail, where the man who has friends or members of his family financially able to provide bail can get out unless his offense be murder, manslaughter, or some major crime, whereas the man without financial backing is sent to prison where he serves oftentimes a long period even before he is tried; (c) the system of deferred sentences and concurrent sentences.

In any system of "justice," there should be equality of treatment, and whether a man gets a speedy trial or whether he

gets out on bail or goes to prison awaiting trial should not depend on influence or financial backing. Here again, the men in prison realize these inequalities in our system of justice. This, too, is one of the principal topics inside the prison walls.

General Recommendations

There follow three recommendations:—

(1) That there be established in a reorganized Division of Correction in the Department of Social Welfare an overall Correctional Authority.

(2) That by resolution of the General Assembly, a study be made which would re-survey what constitutes a statutory crime in this State.

(3) That the Governor call a State-wide Conference on the subject of "Crime, the Criminal and Society."

(1) The Correctional Authority.

This report has devoted 95 pages of the main text and six appendices to explain the most modern system looking to the prevention of Crime, and if Crime cannot be prevented, to the treatment of the offender, looking to curing him of anti-social behavior and re-establishing him in society. This is neither a "sentimental" nor a "starry-eyed" proposal. A reading of the text and the appendices shows that this modern system of an Integrated Correctional Authority is the result of a great deal of study and research in the twin sciences of Criminology and Penology. The Correctional Authority program today has the support of such outstanding organizations as the American Law Institute, the American Bar Association, and the American Prison Association. It has the support of a special committee appointed by the Chief Justice of the United States, comprising a number of the leading Senior Circuit Court Federal Judges.

It has the individual support of the Chief Justice of the United States, the Attorney General of the United States, the Director of the Federal Bureau of Prisons and the heads of the leading organizations above-mentioned.

It is also significant that this program has the support of leading men in industry and finance. For example, it is supported by the Community Service Society of New York, of which organization Walter S. Gifford, President of the American Telephone and Telegraph Company, is Chairman of the Board. This program is also sponsored by the Committee on Youth and Justice of the Community Service Society of New York. The Chairman of this Committee is John D. Rockefeller, 3rd.

A program which has such unprecedented endorsement and sponsorship cannot well be ignored by the citizens of Rhode Island and their duly elected Executive and Legislative Officials.

(2) A Study of Statutory Crimes.

It is further recommended that a resolution of the General Assembly be adopted for the appointment of a special commission, consisting of leading members of the Rhode Island Bar, to study the whole subject of what should constitute a criminal act, in order to bring our system of "statutory crimes" up to date with a view to including therein many predatory acts now considered lawful but which take from the public much larger sums of money than are taken by theft, larceny and robbery.

This commission also should give consideration to the important question of scientific detection of criminal acts, of speedy trial, of our system with respect to bail, and the questions of deferred and concurrent sentences.

(3) A State-wide Conference on Crime.

It is finally recommended that upon the submission of the Report of the State Commission on Public Welfare Institutions, the Governor call a Conference on the subject of "Crime, the Criminal, and Society." It is recommended that the Governor invite to such a Conference representatives of all agencies and organizations in the State of Rhode Island having a special interest in the subject. Amongst these would be the Rhode Island Bar Association, the judges of our Supreme Courts and other courts, the Attorney General of the State, the State Police and representatives of local police, representatives of various social agencies, representatives of the Rhode Island Medical Society, and certain

other organizations, such as the Legislative Committee of Rhode Island, the League of Women Voters, and the Rhode Island Parent-Teachers Association.

It is recommended that the Governor invite to this Conference representatives of the nation-wide organizations which have been specializing in this field; to wit, The American Law Institute, The American Bar Association, The American Prison Association, The Committee on Youth and Justice of the Community Service Society of New York, representatives of the Conference of Senior Circuit Court Judges which sponsored and prepared the bill now pending in Congress for the establishment in the Federal Department of Justice of a Correctional Authority similar to the one herein proposed for Rhode Island.

It is highly important that we in Rhode Island do not delay action in establishing a modern system of correction which has the two-fold social objective of "Prevention" and, where prevention has failed, "Rehabilitation" of the convicted offender.

The Post War World for many years may well be chaotic. Many students of Penology predict a great increase in Crime. That has been the case after every great war.

We should plan for Social Action in this important field today. Tomorrow may be too late.

THE NATIONAL COMMITTEE FOR MENTAL HYIGENE
INCORPORATED

1790 Broadway at 58th Street
New York, N. Y.

President
ADOLF MEYER, M. D.

Honorary Secretary and Founder
Clifford W. Beers

Medical Director
George S. Stevenson, M. D.

November 26, 1943

Mr. C. J. France
Department of Social Welfare
40 Fountain Street,
Providence, R. I.

Dear Mr. France:

I was very much interested in reading your supplementary report and I am in general agreement with it. I think you have worked out a program that is in general keeping with directions that will have to be pursued if the mental hospitals are to become more meaningful to the people they serve. I refer particularly to the material prevention and the development of extramural relations. The discussion of the causes for increase in census of mental hospitals may be more specific than present information warrants. I consider this to be a minor theoretical criticism and does not in any way reflect on the vision contained in the setting up of the services generally.

Sincerely yours,
G. S. Stevenson
Medical Director

CHAPTER III

DIVISION OF MENTAL HYGIENE

Basic Recommendations

It is recommended to the Governor and to the General Assembly that there be established within the Department of Social Welfare a division to be known as "The Division of Mental Hygiene."

This division will comprise:

(a) The State Hospital for Mental Diseases
(b) Exeter School
(c) A Department of Extra-Mural Services

There shall be a General Superintendent in charge of the Division, a well qualified specialist in the Science of Mental Hygiene.

Subject to the supervision of the General Superintendent, there shall be three Superintendents:

(a) Superintendent of the State Hospital for Mental Diseases
(b) Superintendent of Exeter School
(c) Superintendent of Extra-Mural Services

In many of the larger states of the union, there is a separate state department known as the Department of Mental Hygiene. Such a department always includes both mental hospitals and institutions for treatment and care of the feeble-minded. For example, the State of New York has such a department, and also the State of Massachusetts. This is proper orgainzation, due to the fact that both types of institutions deal with the closely related problems of mental disease and mental deficiency. We would not be justified in Rhode Island to establish a separate Department of Mental Hygiene, but it is advisable to have a Division of Mental Hygiene within the Department of Social Welfare.

It is important to bear in mind at this point the basic philosophy underlying this Supplementary Report, viz., (1) that every pos-

sible step should be taken in the way of Prevention in order to keep people out of State institutions; and (2) where Prevention is not possible, to establish an Integrated Program looking to the cure or rehabilitation of those whom it is necessary to commit to the institutions.

In the Introduction to this Report, the point was emphasized that you could not treat State Institutions in "Isolation," but institutions must be considered from the point of view of the total problem, viz., (1) Prevention; (2) Cure or Rehabilitation; (3) Supervision after Release, and other Extra-Mural Services.

1. Mental Illness

In the Introduction to this Report, it was pointed out that in recent years there has developed in the United States an extremely interesting pattern with respect to the type of problem involved in the study of state institutions. We listed a number of scientific and research organizations, national in scope. We pointed out that the membership of these associations largely comprised administrators working in highly specialized fields, and that there was a constant inter-action between the national associations and the administrators actively operating various types of institutions.

In no field has this particular pattern been more highly developed than in this field dealing with mental illness and mental deficiency. One of the best of all these national associations engaged in scientific research and improvement in administration is the National Committee for Mental Hygiene. Another association which has made outstanding contributions is the American Psychiatric Association.

The major recommendations herein made with respect to a Division of Mental Hygiene are based upon years of study by the two foregoing scientific associations and numerous reports and papers issued in their proceedings.

I also wish to express here my indebtedness to George S. Stevenson, M. D., Medical Director of the National Committee for Mental Hygiene; to the Honorable Homer Folks, Chairman of the Temporary Commission on State Hospital Problems, State

Charities Aid Association of New York; and to F. W. Parsons, M. D., who for many years was Commissioner of the Department of Mental Hygiene of the State of New York, all of whom were kind enough to give me of their valuable time and counsel in the field of mental hygiene.

I have also obtained valuable assistance from a report entitled "A Study of the Public Mental Hospitals of the United States," published by the United States Public Health Service. This report was the work of a committe representing the National Committee for Mental Hygiene, the American Psychiatric Association, and the United States Public Health Service. I am also indebted to a progress report, issued in December 1942, by the Temporary Commission on State Hospitals appointed by former Governor Lehman.

In the Study of the Public Mental Hospitals hereinbefore referred to, it is said:—

> "Those who have been responsible for the care and treatment of the mentally sick have so many ambitions, anxieties, hopes and problems in common that they have been deeply interested in each other's activities and generally most eager to help in every advance—administrative, architectural, clinical, and therapeutic. One is reminded of the period of cathedral building in England, when architects took difficult and arduous journeys just to see and appraise any new features that had been devised by others."

The major point of departure which this Supplementary Report makes from the Report of the majority members of the Commission lies in the fact that the majority members of the Commission approach the total problem of our State Institutions by considering these institutions in what I term "isolation" as to two vital aspects:

(1) what happens **before** it is necessary to commit a citizen of this State to an institution, and (2) what happens **after** the citizen is released, either under supervision for a period or unconditionally.

In dealing with the correctional problem in Chapter II, the title of that chapter was "A Program for Youth and Adult Offenders Through Establishment of a State Correctional Authority."

This very title indicated that the writer was dealing with the total problem rather than with institutions per se. Nowhere is this point of view so essential as when we come to deal with those who are mentally ill and those who are mentally defective. Take, for example, the problem of the mentally ill. It appears from the 1942 census that the total number of patients registered at Rhode Island hospitals, including public and private, was 6,164. Taking the population of the mentally ill at the State Hospital for Mental Diseases, Butler Hospital and the Chapin Hospital, it would appear there were over 3,000 mental patients in the same year, which about equals the number of the physically ill. It is manifest that the problem of the mentally ill outside of the institution is of equal importance to the problem of the physically ill outside of the repective hospitals of the State. There is a basic reason for this. In the past fifty years, the strains and stresses upon the most complex organ of the human body, the brain, have been increasing to a degree unknown in any previous period of history. Modern society might be characterized as a society geared to ''high speed.'' In our industries we have automatic machinery which is running, in this mass production era, with a speed unheard of. On our streets, we have the new mechanism, the automobile, which is driven at high speed under increasing difficulties of traffic by every type of worker and professional man. Not only the drivers, but the pedestrians, are affected. We are entering on an era of high speed air transport, which will present again increasing burdens on this delicate organ, the human brain and the human mind. In fact, as civilization progresses, the stresses and strains requiring new mental adjustments and adaptations will grow with an ever increasing tempo. It should not be a cause for surprise, therefore, that in the past fifty years the number of patients coming into State Hospitals for Mental Illness has increased in greater proportion than any other type of institutional case.

My associates on the Commission have adopted a Report on this vital problem facing the State of Rhode Island which, I regret to say, is largely negative in character and does not present to the Governor and the people of this State any constructive program to meet the problem. Because this problem is so far-reaching, I cannot encumber the text of this Report by answering

what is, in effect, an indictment of our State Hospital for Mental Diseases. I have exercised the privilege, however, of replying to that indictment, which is not founded upon accurate facts, in an appendix attached hereto designated as Appendix VIII. At this point, I will devote one short statement with respect to the indictment of our State Hospital.

The test of any institution is what it has achieved for the people entrusted to its care. Specialists in psychiatry and mental illness are agreed that there are two major tests: (1) the number of patients within the hospital who have been brought to a stage where they can be entrusted to engage in various types of activities—occupational activities, recreational activities, or individual activities; (2) the second test is the number of individuals who are released or discharged from the institution as a result of proper therapeutic treatment, of which occupational and recreational therapy is a part. There are three types of such release: (a) release or discharge of those who are cured; (b) allowing patients to go out in care of their families on what is termed "trial visit," and (c) the placing of patients out in boarding homes, known as "family care."

The State Hospital for Mental Diseases ranks high with respect to these tests, as to how its treatment affects the patients. At the date of this writing, there are 2,797 patients at the hospital. Of these, approximately 1,050 patients are engaged in various types of occupation. This is 36 percent of the total. Of the 1,747 remaining patients approximately 500 are so disturbed or so untidy that they cannot be used in any useful occupation or given ground privileges. 643 of this remaining 1,747 are feeble, infirm, and bedridden. This leaves some 600 patients out of a total of 2,797 who are not given opportunities for occupational work or recreation. In Appendix VIII there will be given in considerable detail the various types of activities in which 1,050 patients, 36 percent, engage within the institution.

With respect to the test of those who are released or discharged, I cite certain pertinent facts. In the fiscal year 1932-33, there were 222 patients dischaged or released; in the fiscal year 1933-34, 264; in the year 1934-35, 237. This was the period just previous to the new building program referred to in the Majority

Report which was initiated by Theodore Francis Gereen, then Governor and now United States Senator. The effects of this new building program did not begin to show until the fiscal year 1939-1940. In this fiscal year there were 360 individuals released or discharged. In the fiscal year 1940-1941, there were 332; in the fiscal year 1941-42, 326, and in the year 1942-43, 422. We note that in the year 1942-1943 the percentage of persons discharged has increased over the year 1932-33 by nearly 100 percent.

With respect to individuals placed out on Family Care, there was no such program as we conceive it today in the fiscal year 1932-33. It is important to note that just prior to the outbreak of the war the hospital had 166 individuals on "Family Care."

This data with respect to patients who have freedom of the grounds and happy occupations in the institution, these figures with respect to discharges of individuals or out on Family Care, I am certain compare favorably with those of any state in the union. They far exceed the figures of the great majority of the states. These facts, alone, should suffice to answer the indictment of the State Hospital for Mental Diseases by the majority members of the Commission. Appendix VIII, however, will show why our State Hospital for Mental Diseases ranks so high in the nation.

At the outset of this Chapter, it is important to recognize that we will not deal with the institution in isolation. We will deal with the problem of the mentally ill. The first recommendation, as above stated, therefore, is the establishment, within the Department of Social Welfare, of a Division of Mental Hygiene.

With respect to the mentally ill, we make two major recommendations: (1) the establishment in the State of Rhode Island of **extra-mural services** for the mentally ill of our State, under the general supervision of the Division of Mental Hygiene (by extra-mural, we mean non-institutional services as distinguished from services within the hospital);

(2) a number of improvements in the intra-mural services rendered to patients within the State Hospital.

Extra-Mural Services

The following extra-mural services would be under the supervision of the Division:—

1. The establishment and expansion of psychiatric services for public and private agencies.
2. The establishment of out-patient clinics.
3. The expansion of the existing ''Family Care'' Program.
4. A more modern, flexible and humane system of commitments to the State Hospital for Mental Diseases.
5. A flexible program of transfers of individuals in the custody or care of the State between the respective institutions under the supervision of the Department of Social Welfare.
6. The establishment of a program of public education with respect to the scope and magnitude of the problem of mental illness.

Intra-Mural Services

With respect to the State Hospital for Mental Diseases, as an important tool of the Division of Mental Hygiene under the term of ''intra-mural'' services, we recommend:

1. The establishment in the hospital of an adequate department of research.
2. An improvement in the personnel of the hospital.
3. The extension and improvement of the occupational therapy program.
4. A marked expansion in the existing program of education with respect to patients capable of educational improvement.

Extra-Mural Services

1. **The establishment and expansion of psychiatric services to public and private agencies.**

For a number of years past, there has existed a position in the Department of Social Welfare known as State Psychiatrist. The State Psychiatrist was directly responsible to the Director of Social Welfare. This individual was at the call of all the State Institutions within the Department, except the State Hospital for

Mental Diseases. For example, he performed psychatric services for the Correctional Institutions, for the State Home and School, for Sockanosset and Oaklawn Schools, for the State Infirmary, for Exeter School, and for the Soldiers' Home. In addition to that, he was subject to call by the Attorney General or the courts of the State when the Department of the Attorney General desired to have a psychiatric examination of some individual coming up for trial for a criminal offense. In addition, the State Psychiatrist performed psychiatric services for one or two private hospitals and institutions.

There have been two major defects in this admirable program under the State Psychiatrist. In the first place, the State Psychiatrist was not administratively responsible to the supervising head of a Division of Mental Hygiene. Administratively, he was directly responsible to the Director of Social Welfare. This naturally resulted in a lack of proper coordination between a highly important extra-mural service and the highly important intra-mural service of individuals either mentally ill or requiring psychiatric advice. Second, the services were entirely too limited in their scope. One State Psychiatrist is wholly inadequate. The chief cause of the inadequacy, however, was the lack of any program of extra-mural services conceived with vision. An admirable paper by George S. Stevenson, M. D., Medical Director of the National Committee for Mental Hygiene, is entitled "Ways of Developing and Utilizing Psychiatry in Community Health and Welfare Programs."*

In this paper, Dr. Stevenson said that the development of the Mental Hospital as an adequate community resource for other than intra-mural services is one of our most pressing needs.

Dr. Stevenson inquires why our psychiatric hospitals have not developed a greater degree of community responsibility. He cites several factors: the isolation of the hospital, its historical background, the public attitude of fear toward it, its limited budget, its use for political purposes, its gravitation to a pattern of administration that is determined too much to considerations of

*Presented at the New England Health Institute, Hartford, Connecticut, April 18, 1940. (Reprinted from "Mental Hygiene," Vol. XXIV No. 3, July 1940, pp. 353-365.)

good housekeeping at the expense of the fullest service to patients. In his paper, Dr. Stevenson discusses these factors at length. It may be said for Rhode Island that neither the Department of Social Welfare nor the State Hospital for Mental Diseases has been handicapped by the utilization of the program of social welfare "for political purposes."

As indicated, the State Hospital has been "isolated" from the community. This is due to the point of view that the hospital operates more or less "in a vacuum" instead of being one important tool in a total problem. This point of view has been repeatedly stressed in this Report. It cannot be over-emphasized. With respect to the public attitude of fear toward the Mental Hospital and the mentally ill, we will speak in more detail later.

Let us consider how fruitful is this field of extra-mural community services operated with constructive foresight and vision.

We have already pointed out the stresses and strains upon every individual in the community and upon every family. Those of us who are working in the field of social welfare realize how these stresses and strains of modern life become seriously aggravated when someone in the family has a prolonged illness or when the breadwinner is unemployed, especially in periods of mass unemployment such as we witnessed in the great depression of the thirties. The social worker, both public and private, who seeks to do something more than hand out a few dollars of relief money, realizes that the psychiatric problems in the homes of the poor or in homes where there are either broken families or severe family difficulties always become acute.

We have in Rhode Island one of the best general public assistance programs in the nation. By virtue of the splendid Divisions of Public Assistance and of Children's Services in the Department of Social Welfare, Rhode Island has approached, to a very considerable degree, the ideal of Sir William Beveridge in providing care for individuals from the cradle to the grave. The greatest deficiency in this program of general public welfare lies in lack of adequate psychiatric service available to the Administrator of Public Assistance, to the Administrator of Child Welfare and to the fine group of local Public Welfare Directors who, in this State, work hand in hand in splendid cooperation with the State Depart-

ment of Social Welfare. Many of our private hospitals which are supported in part by endowment and in part by money raised by the United War Fund and by the great charitable program operated under the Catholic Dioceses of this State constantly find the need of psychiatric advice and consultation.

I feel that no more important step could be taken as a result of the study of this Commission than the establishment, under the supervision of the head of the Division of Mental Hygiene, of a constructive program of **extra-mural services.** These services would be rendered upon request made by a division or institution of the Department of Social Welfare, or upon request of any hospital or well-recognized private agency. These latter would include such agencies as The Catholic Charities, The Family Welfare Society of the State, and the Society For Prevention of Cruelty to Children and the Cildrens' Friend Society. May I quote from the paper hereinbefore cited by Dr. Stevenson, Medical Director of the National Committee for Mental Hygiene:

> "In conclusion, I should point out that while I have apparently deviated from my subject of psychiatry in talking a great deal about the community, these principles are so fundamental to the effectiveness and spirit of psychiatric service that they are really very pertinent. If they are adhered to, the specific psychiatric organization is not so much of a problem. It is either a question of organizing a local service with adequate personnel, or of securing from some larger political subdivision a decentralized service, enhanced as much as possible by a supporting and collaborating local organization. This is the essence of **developing** such service. **Utilizing** such service is likewise a corollary of these principles. There are mentally ill people, psychotic or neurotic, who appear in every agency and who need psychiatric treatment more than anything else. For this primary responsibility, a psychiatric agency is necessary. There are also mentally ill people for whom treatment holds little prospect of success or who have more emergent problems in some other field. For these the psychiatric agency acts as an assistant or consultant to another agency, health, welfare, or education, which carries the leading responsibility. Then there are persons about whose behavior the non-psychiatric agency has some doubt, or whose

cases present possible psychiatric implications. The psychiatric agency here acts as a consultant to the worker, using the record instead of dealing with the patient directly unless indications for direct service appear. There are new workers and even some of the older workers in the co-agencies who have not that minimum of psychiatric knowledge that is necessary for the generalized ability that each worker should have. For these the psychiatric agency is an educational instrument, as far as possible, of course, through its clinical cases.

"And finally there are larger influences bearing on the mental health of the public directly or indirectly through school practices, dispensary practices, court practices, recreational facilities, industrial conditions, and the like. These influences come to light through the patients of the psychiatric service who have broken under them. It is the task of the psychiatric clinic to reveal and weigh these threats to the mental health of the public. An aggressive public-health program can use these findings for continuous progress in making the community a safer and better place to live in."

Services to Public Schools

A highly important psychiatric service could be rendered to the public schools and the parochial schools of the State. All of us will recall, in our youth, the so-called incorrigible boy. Literature is filled with stories of the Bad Boy. The science of Human Behavior, of which psychiatry is an important branch, does not recognize that there is such a thing as a "Bad Boy." If such a boy is not feeble-minded, he is the result of lack of integration in his personality. The very foundation of the science of psychiatry is a denial of the "duality" of mind and body. It is positive pronouncement with respect to the integration or lack of integration of the total personality, physiological and psychological. The incorrigible boy or girl is such for many reasons. He or she may have come, and generally does come, from a home where the family belongs to the lowest income strata, or from a family in which there is conflict in the home.

Modern education is coming to recognize that it has responsibilities for children which reach deeper than the traditional con-

cept of education, which started with "The Three R's." Of all its responsibilities, there is none greater than to develop completely integrated personalities. When, therefore, abnormal behavior problems appear in students, the modern educator looks to sources of trouble either in the home or in the environment of the boy or girl outside of the home, or to deficiencies in the school. The importance of this approach was emphasized in Chapter II, "A Program for Youth and Adult Offenders Through Establishment of a State Correctional Authority." There it was pointed out that delinquency began at the very point where a boy or girl showed maladjustment in his school life.

Psychiatric services in our school systems is one of the most crying needs of the day. Many large school systems, notably in New York, are beginning to furnish such psychiatric services. The larger public school systems of our State might be able to afford such services.* Even if they could afford them, it is doubtful whether the school systems should adopt them. The smaller school systems could ill afford to provide such services. Such psychiatric services could be made available to both the public and parochial schools by this particular service which it is proposed to set up in the Division of Mental Hygiene. For the State to make available such psychiatric services to the school children of Rhode Island would place our State in the front rank in treating a problem of the first magnitude.

2. The establishment of out-patient clinics.

In the discussion under paragraph 1, we pointed out the opportunity for extra-mural services, with special reference to how such services could be established to assist the divisions and institutions within the Department of Social Welfare and private agencies including private hospitals. There is a second highly significant extra-mural service which should be established, viz., the Out-Patient Clinic. Prior to the war, Dr. Charles P. Fitzpatrick, then Superintendent of the State Hospital for Mental Diseases, expanded this type of service to several communities. It was done at the request of certain community organizations in such communities of the State at a place selected by the com-

*The Providence School System provides a certain amount of psychiatric service with respect to children who present behavior problems.

munity organization. Clinical service was rendered by resident physicians of the State Hospital. This very moderate experiment, in the opinion of the Director of Social Welfare, proved its value with respect to the out-patient clinic.

May I quote from a paper delivered by Arthur H. Ruggles, M. D., Superintendent of Butler Hospital and Charles P. Fitzpatrick, M. D., at that time Clinical Director of Butler Hospital but subsequently Superintendent of the State Hospital for Mental Diseases. This paper was read at the Ninety-Third annual Meeting of the American Psychiatric Association, May 13, 1937. It said:*

> "It is common practice in a great many states to operate mental-hygiene clinics in connection with the hospital. These, too, serve a double purpose; not only do they reach incipient cases of mental illness and maladjustment, but they also serve as a means of disseminating information about the problem of mental disease. These clinics are sometimes set up separately and apart from the hospital, but in many instances, they are a part of the hospital service. When no other provision is made for the operation of such clinics, this is probably the best method of dealing with maladjustment in the community. In addition, it serves to keep the hospital in touch with community problems and the community in touch with the hospital.
>
> "A question arises in connection with these clinics, and, as a matter of fact, with any clinic operated by public funds, and that is the question of the attitude of the medical profession at large to the clinic. There is a great deal of resentment in the profession against the inroads of anything that resembles state medicine. Many consider these clinic activities as a wedge that is being driven in the direction of state medicine. In practice, it is questionable whether this is the case or not, because by far the greater number of cases that appear in a mental-hygiene clinic are not such as could be handled successfully by the average practitioner. The general practitioner, who is not specially qualified in mental medicine, is not familiar with the problems involved, nor

*Reprinted from "Mental Hygiene," Vol. XXII, No. 3, July 1938, pp. 380—388.

has he the follow-up facilities that these cases require. The mental-hygiene clinic, using the services of a psychologist and a social worker as aids, is able to render more effective service than would be afforded by the average practitioner.

"We do feel, however, that these clinics should not receive patients for advice, examination, or treatment unless the patient presents a letter from his own family doctor or from some local physician. In this way a great many difficulties that have arisen in the past might be avoided. This is not a minor point, but a major one, and sometimes it may spell either success or failure for the clinic. One of the prime requisites of such a clinic is that it shall be acceptable to our brother physicians."

At this point, may I refer to Chapter I of this Supplementary Report under the title of ' Prevention." It will be recalled it was there strongly recommended that there be established in the State of Rhode Island a State Security Council, patterned after the existing State Council of Defense. The plan is to carry on into the post-war period the great social gains which have been achieved in the war emergency in mobilizing all community resources. Under such a State Security Council, there would undoubtedly be established local Security Councils. A Mental-Hygiene Clinic could be established in the leading communities of the State, which would, in my opinion, obviate any criticism by the medical profession. It will be remembered that in the plan for a State Security Council, the State Department of Health and the Rhode Island Medical Association would play important roles. It may be said, also, that the proposed State Security Council would be an invaluable bulwark to the extra-mural psychiatric services as proposed and outlined in paragraph I above.

3. The expansion of the existing "Family Care" program.

This subject is of such importance that I am quoting from the Progress Report of the Temporary Commission on State Hospital Problems submitted in December 1942 to Governor Lehman of the State of New York. At the beginning of this report, it is stated that the Comission was appointed by Governor Lehman "to study the possibility of diminishing the rate of growth of the State Hospitals for the mentally ill." There could be no more

important subject of study. It has been indicated that the number of individuals in this State and other States in hospitals for mental diseases equals, if it does not exceed, the number of individuals in all other types of hospitals. In the past twenty-five or fifty years, the rate of growth of populations in mental hospitals has been alarming. The result has been that in larger states millions of dollars have been spent in building and staffing new mental hospitals. I have obtained figures in our own State which show that during the past ten years the rate of growth in our population, as compared with total discharges either by cure or death, represents a total of 750. We were able to absorb this increase of population because of the expansion of facilities as a result of the bond issue and building program mentioned in both the Majority Report and in this Supplementary Report. We will face very shortly, however, the necessity of new hospital buildings for the mentally ill unless steps are taken to stem this rate of growth. The Progress Report of the New York Commission above referred to recommended two important steps to stem this alarming increase in institutional populations of the mentally ill: (1) a research program; (2) the expansion of the Family Care Program. We will discuss the subject of a research program in a later section, when we deal with intra-mural recommendations.

The Report of the New York Commission, in recommendation 4, says:

> "4. It is both desirable and entirely practicable to place a considerable number of patients, who are not yet ready for parole, in carefully selected family homes with payment for their board. In many cases this renewed contact with community life results, after a brief period of time, in the patient finding employment, showing a fitness for family and social life, and being placed on parole and subsequently discharged."

Of very great importance is the table published in the New York Report. This table shows the number of patients in residence in the New York State Hospital at the beginning of each fiscal year (July 1st), from 1930 to 1942, with the net increase each year and the decrease in the last four months of the fiscal year 1942.

Two things appear in this table: first, an annual increase in hospital patients during this twelve year period of approximately 2,000 individuals. It further shows that in the fiscal year ending July 1942, this annual increase had been reduced to 726 and that in the first four months of the fiscal year beginning July 1942, there had been a decrease of 78. Commenting on these figures, the Commision says.

"There has been nothing like this in the history of the New York State Hospitals during the past fifty years. Further, statistics show that this decrease was not due to decrease in admissions, but was due to a larger percentage being placed on parole or in family care.

"The fiscal implications of the above figures are substantial. The annual increase in the resident population of the State Hospitals for the ten years, July 1, 1930-July 1, 1940, varying from 1,840 to 2,985, averaged 2,393 per year. If this average annual increase had continued for the next two years, July 1, 1940 to July 1, 1942, and for the four months, July-October inclusive, 1942, a period of 2 1/3 years, the number of patients in the State Hospitals on November 1, 1942 would have been 76,791 or 3,710 more than it actually was, 73,081.

"The per capita cost of maintenance of patients in the State Hospitals for the year ended June 30, 1941 (not including construction costs) was $386.46. Of the 3,710 reductions in resident population, 231 represented patients transferred to family care who were still being maintained by the Mental Hygiene Department. This leaves 3,479 as the actual reduction in two and a third years in numbers of patients to be maintained by the State. The maintenance of 3,479 patients at $386.46 per year amounts to $1,344,494.34. It is recognized that the removal of these patients does not represent an actual and immediate saving of the entire cost of maintenance. It does so, approximately, as to items of food, clothing and the like. On the other hand, costs of fuel, light power, etc. and to some extent of personal service, cannot be **immediately** reduced in proportion to a reduced number of patients. Nevertheless, the actual reduction within a relatively brief period would approximate closely the actual average per capita cost.

> "The average cost of building new State Hospitals (before it became impossible to build them at all) was about $4,000 per bed. To construct buildings for an additional 3,710 patients, the number of which exceeds the census of each of several existing State Hospitals at $4,000 per bed, would amount to $14,840,000. This cost is actually postponed, or avoided indefinitely to the extent that the reduction of 3,710 patients in the State Hospital census can be maintained."

In mentioning the tests of efficiency of a State Hospital, attention was called to the great progress which has been made in Rhode Island in this particular field of "Family Care." We have, however, just scratched the surface in this State. It is highly recommended, therefore, that the legislature give adequate financial support to the expansion of this Family Care program. Not only is financial support required but organization is required. The recommendation herein of having an Assistant Superintendent in charge of all extra-mural activities, including Family Care, is highly important. One of the primary functions of this Assistant Superintendent would be to develop and expand the Family Care program in this State.

4. **A more modern, flexible and humane system of commitments to the State Hospital for Mental Diseases.**

I have before me a Report issued by the United States Public Health Service.* I quote from the first paragraphs of this Report:

> "Appropriate arrangements for quick and comfortable admission of the needy patient to the mental hospital constitute important measures in humane care of the mentally ill.
>
> "The legal requirements for admission have had an interesting development from almost no formality before 1872 to the most difficult and harrowing procedures of the early part of the twentieth century that are still present in many States. The mandatory trial by jury to determine sanity or insanity was begun im Illinois in 1872 and spread throughout the United States. It was a typical reaction to false publicity

*Laws Pertaining to the Admission of Patients to Mental Hospitals Throughout the United States," by Grover A. Kempf, Medical Director, United States Public Health Service, Associate Director, Mental Hospital Survey.

regarding 'railroading' normal men and women to insane asylums, who then were alleged to have lost their reason amid the horrors of the asylum. As time went on the morbid attitute toward the State Institutions began to change. They became known as hospitals that were no longer to be feared but to be considered more as a haven for the mentally ill, for whom there was increased hope of being returned to society.

''State mental hospitals are now generally looked upon with favor by the people of the States, and the more socially minded and interested the citizens are, the better are the hospitals.

''The lag between the cultural level and the law is in no field more apparent than in the slow progress of law-making bodies in according relief to the mentally ill.

''The way to the mental hospital should be as open as it is to the general hospital. Due regard for the protection of the rights and property of the individual can be, and in some States is, attained without making the institutions less accessible to the mentally ill.''

It is not the purpose of this paper to outline in detail the amendments to the existing Rhode Island law with respect to methods of admission to our State Hospital for Mental Diseases. This is highly technical, and should be left to a small committee of psychiatrists. The Director of Social Welfare has in mind the appointment of such a committee, with the approval of the Governor. It is mentioned in this Report in order to apprise the Governor, the General Assembly, and the public of the need for a more liberal system of commitments in this State. It is fair to say that the laws of Rhode Island with respect to commitments are more liberal than those of many other states. There is, however, great room for improvement.

5. A flexible program of transfers of individuals in the custody or care of the State between the respective institutions under the supervision of the Department of Social Welfare.

This subject is dealt with under the general title of Extra-Mural Activities in connection with the proposed Division of Mental Hygiene, primarily because the problem of transfers largely

centers about the mentally ill and the mentally deficient. The problem, however relates to all institutions and, to an extent, to certain of the welfare divisions as well.

We must remember that the basic philosophy underlying the whole of this Supplementary Report centers around the concept of "An Integrated Program." In the existing laws of the State of Rhode Island, there are a number of impediments which restrict the Director of Social Welfare, acting upon the advice of his technical staff, in making transfers of patients and/or inmates from one institution to another. For example, it is not possible to transfer an individual convicted to the State Prison or Men's Reformatory for a fixed term of years either to the State Hospital for Mental Diseases or to Exeter School without resorting to the courts.

We must bear in mind that the new system proposed in this Supplementary Report provides for a highly developed scientific Diagnostic-Treatment Clinic. This clinic is to be composed of a number of leading specialists in medicine, psychiatry, behavior-psychology and sociology. It is a social science clinic. The laws of this State should be so amended as to enable the Director of Social Welfare, upon written advice of the Diagnostic-Treatment Clinic, to transfer individuals in the custody or care of the State from one institution to another immediately, without resource to legal procedure.

A recent case has been heretofore cited of a boy with an I.Q. of 40 who was committed to the Men's Reformatory because of a shocking crime. The case of Donald Bennett is perhaps the outstanding example of the need for a flexible system of transfers upon the advice of a well-qualified Diagnostic-Treatment Clinic.*

6. The establishment of a program of public education with respect to the scope and magnitude of the problem of mental illness.

In a previous part of this Report dealing with mental illness, we refer to a paper by Drs. Ruggles and Fitzpatrick on the Educational Functions of the Present Day Mental Hospital. In the

*See special report of the Commission on Donald Bennett, prepared on behalf of the Commission by Dr. Charles A. McDonald.

beginning of this paper, Drs. Ruggles and Fitzpatrick say:—

"You are quite familiar with the changes in attitude toward the care of mental patients and the function of institutions for the mentally ill that have occurred in the past two hundred years. Until 1792 very little consideration was given to the treatment of the patient. The main purpose for which institutions existed was to protect the community. In other words, their function was principally custodial, and was concerned with the segregation of patients rather than with their treatment. With the advent of Pinel in France and Tuke in England in the 1790's, however, the attitude changed. Pinel created a sensation by striking off the chains from more than fifty patients in the course of a week. It has been proven that Pinel's philosophy of management was good. His work was subsequently carried on and elaborated by Esquirol. About the same time, in England, William Tuke and Lindley Murray, with the help of the Quakers, succeeded in building and opening the York Retreat. With this event, the modern era with respect to the treatment of patients began in England. The influence of the York Retreat in handling patients without mechanical restraint gradually spread, and, as we know, has now permeated most of the English-speaking world.

"During the past century there have been numerous advances in the treatment of the mentally ill. Refinements in treatment methods have continued to develop. The philosophy of the institution, however, did not change a great deal until approximately thirty years ago when the mental-hygiene movement began in this country.

"This movement is so recent that it seems unnecessary to review it here. It has resulted in a change in the attitude of the mental hospital toward the question of mental disorder and the legitimate activities of the hospital. **These activities are no longer confined to the four walls of the hospital, but extend in many directions in the community.**"

In spite of the fact that there has been a great change in the attitude of those dealing professionally with the mentally ill, in spite of the fact that there has been a considerable change in the public mind with respect to those suffering from mental illness,

we must admit that there is a very considerable social lag between the point of view of the psychiatrist and the general attitude of the public. Most individuals have a fear with respect to mental illness. Many people feel that they would rather see a relative die than go to what they still think is "an insane asylum." Connected with this fear is a deep reluctance on the part of members of a family to admit the presence of psychotic or neurotic symptoms in one dear to them. The individual himself suffering from such symptoms is imbued with the same fear and with a horror of going to a hospital for mental diseases. This fact results in deplorable consequences. Individuals who should have treatment immediately when symptoms appear put it off. Even members of the medical profession are sometimes reluctant to advise families under their care that an individual with acute mental symptoms should go to a hospital. The net result is that the case is allowed to mature. The symptoms become more and more aggravated, until the point is reached where hospitalization is requisite. When this happens, the same fear and abhorrence prevails. The family often thinks they are subject to social ostracism because one of their members has been committed to an "insane asylum." The ramifications of this should be manifest. A highly important function of the proposed Division of Mental Hygiene, and especially of the Superintendent and the social workers under his direct supervision, would be to carry on educational programs with a view to removing this fear of mental illness, this fear of hospitalization from the public mind.

I know of no area in which the State Security Council, as proposed in Chapter I on "Prevention," could do more constructive work than in this field of public education on mental illness. Such education is becoming increasingly important. We have already indicated that the stresses and strains of a high-speed social order are presenting unheard of problems with respect to mental and social adaptations of the human being to a social order which is constantly undergoing repeated change. This is going to result in an increasing number of individuals developing symptoms of mental disorder. These symptoms, under our modern knowledge of psychiatry, if taken at the very beginning, can easily be overcome, and a cure effected before the malady becomes deep-seated. A complete change in the public attitude toward mental illness is one of the most important needs in this whole field.

Intra-Mural Services

Intra-mural services deal with all of the services to be rendered in the field of mental illness. These are the services rendered by the hospital itself.

The following recommendations are made with respect to improvement in the services of the State Hospital for Mental Diseases:

1. The establishment of a Department of Research.
2. Improvement in the character and number of personnel, which would include an ''In-Service'' Training Program.
3. Improvement in the occupational therapy program.
4. Improvement in the educational program.

1. Establishment of a Department of Research.

In the progress report of the Temporary Commission on State Hospitals Problems, State of New York, hereinbefore referred to and submitted to Governor Lehman in 1942, the Commission devoted considerable attention to the subject of what is known as ''insulin shock treatment,'' and other types of ''shock treatment.'' I quote from the report of this Temporary Commission as follows:

> ''1. There is every reason to believe that insulin and other 'shock treatments' have been of substantial benefit to the patients and that in many cases their stay in the hospital has been greatly reduced and their restoration to useful community life expedited.
>
> ''2. When the Commission had reached this conclusion, in February 1942 the Commissioner of Mental Hygiene, at its suggestion, arranged a course of observation and participation in insulin shock treatment at the Brooklyn State Hospital, to which course each State hospital not already having a staff member competent to administer such treatment, could send a staff member for such training.''

In a recent talk with Dr. Arthur H. Ruggles, Superintendent of Butler Hospital, and former president of the American Psychiatric Association, he told me that at the Brooklyn State Hospital some 2,000 patients were treated with ''insulin shock treatment,'' and an additional 800 patients were used as a ''control group.''

This ''control group'' did not receive the ''shock treatments.'' It appeared that many cures resulted from the 2,000 individuals receiving the ''shock treatments,'' while a much smaller percentage of cures appeared in the ''control group.'' On the basis of leaving the social objective out, Dr. Ruggles advised me that it was estimated that the giving of these ''shock treatments'' to the 2,000 patients resulted in a saving to the State of New York of three hundred and fifty thousand dollars.

We started the ''insulin shock treatments'' and electric shock treatments at our State Hospital but, because of war conditions, this program has been in part suspended. It is highly recommended that we secure for our State Hospital one of the leading men in the United States in this field of research and development of ''shock treatments.'' It will result in a large number of cures. It will result in saving in the future hundreds of thousands of dollars. It will be highly profitable from a financial point of view for two reasons:

(a) It will go a long way in stemming the rising tide of mental patients, and thus obviate the necessity of large capital improvements in the future for new buildings.

(b) In connection with the family care program it may well result in an actual reduction of the number of patients currently at the hospital.

It is true this research and development program will require additional appropriations. The research head will be a fairly high priced man, and he will have to have considerable technical assistance in the way of personnel.

In the paper by Drs. Ruggles and Fitzpatrick on the Educational Functions of a Mental Hospital (supra), it is said:

''It seems to us desirable that the public should not be called upon to face increasing expenditures over a period of years if anything can be done to reduce the incidence of mental disease and its more effective treatment. Nothing will be accomplished in this direction unless investigative campaigns are initiated. Nothing will be accomplished by sitting down and waiting for something to happen. Active work is required. If progress is to be made in the investigation of mental diseases and in treatment, funds should be appropriated for this purpose. **It is not**

unreasonable to ask that out of every dollar necessary for new buildings, one cent should be appropriated to stimulate investigation and research. It is encouraging that some hospital systems at the present time are doing very laudable work, but the surface has only been scratched as yet. The field of mental disorder is a vast one and serious in its economic consequences. **Increasing knowledge, attended by research, will repay an hundredfold every dollar spent on it.**

"The hospital has a definite obligation to the patient and the community to keep abreast of new developments in psychiatry, particularly in the field of treatment. Any treatment that may shorten the stay of the patient in the hospital or that offers any hope of benefit, either immediate or remote, should be investigated. It may not be feasible sometimes actually to try out the treatment, but it should be feasible at all times to keep in touch with people who are trying it out. Hospitals may legitimately be criticized by relatives and by the public when they lag behind in utilizing knowledge that is at hand."

2. Expansion and Improvement of Personnel.

During the past three years the State Hospital for Mental Diseases has suffered greatly by lack of every type of personnel—doctors, nurses, social workers, occupational therapists, and above all attendants, both in number and quality. This emergency was met in part by the employment, with the approval of the Governor and the Rhode Island Medical Society, of alien physicians. With respect to attendants it was met by obtaining fifty conscientious objectors, made available by the United States Selective Service Agency. The fifty Mennonites who have been with us a year have performed a valuable and gallant service. During the war period we cannot expect great improvement in personnel for it is not possible to obtain a proper quota of technical personnel, to say nothing of attendants. It is recommended, however, that, in the post war period, Rhode Island appropriate sufficient moneyto bring this State up to the standards established by the American Psychiatric Association.

Nurses

We should have a nursing force in proportion to total patients of not less than one to eight, and to the patients under intensive treatment, and in surgical units, of not less than one to four.

Physicians

We should have a medical staff of well qualified physicians. The proportion to the total number of patients should be not less than one to one hundred fifty, in addition to superintendent, and to the number of patients admitted annually, not less than one to forty.

Attendants

We should have an adequate number of attendants. It is recommended that there should be established two classifications of attendants: one, general attendants; two, specialized attendants. The general attendants should be sufficiently qualified to do the ordinary attendant work about a hospital. The specialized attendant should be an individual who has received "in-service" training of sufficient character as to be designated as a practical nurse.

In-Service Training

The program for in-service training for internes and resident physicians should be more highly developed than in the past. Every effort also should be made to expand the training program which has existed for psychiatric nurses.

The 8-Hour Day

It is highly recommended that there be established immediately, when personnel is available in the post-war period, an 8-hour day for nurses, attendants and other members of the staff. The present practice of two 12-hour shifts is not conducive to the best type of care and treatment in a hospital for mental diseases. This shift from a 12-hour to an 8-hour day will cost considerable money. It is in effect, however, in progressive states such as New York and Massachusetts, and Rhode Island certainly can afford to give the best to these mentally ill individuals.

3. Improvements in Occupational Therapy Program.

In Appendix VIII, a considerable amount of space was used in discussing the criticisms of the Majority Report with respect to the Occupational Therapy program at the State Hospital for Mental Diseases. In replying to these criticisms it was shown that there had been developed a fairly adequate occupational program comprising (a) work, (b) recreational activities, (c) various types of amusement, including opportunities for musical expression by the patients. We should not be satisfied with these achievements. Occupational Therapy in the broad sense expresses one of the most important functions in treatment and cure of the mentally ill. For those who cannot be wholly cured, but whose condition can be greatly improved, every effort should be made to create, in the hospital, a situation which approaches as nearly as possible the conditions which exist in the community outside. In consequence, every form of community activity and every form of community opportunity should be made available to the patients at our Mental Hospital. In a subsequent section it will be recommended that when capital improvements are under consideration, a major capital improvement will be the construction of a "Community Gymnasium" at Howard. A "Community Gymnasium" is recommended as it will be available to various types of patients and inmates in this community at Howard, where there is a population of some five thousand people.

This gymnasium should have such modern facilities as a large gymnasium floor, where basketball, volley ball, and other indoor recreational activities would be available. It should have a swimming pool, as well as a sufficient number of bowling alleys. There should be provision in this gymnasium, on a second floor, for various rooms suitable for games of all types. There should also be one section of the second floor in which there could be built up a good library, such a library as any community of five thousand people would require. Provision should also be made for outside recreational activities. Amongst these there should be, on the recreational field, a modern grandstand where patients could view baseball games, football games, and see exercises. In the next section, we will speak particularly with respect to educational facilities which are closely related to Occupational Therapy.

4. Educational Program

The attention of the reader is called to Appendix VII. In this Appendix there was outlined in detail the nature and character of an Educational program in connection with the proposed Correctional Authority The main elements of the program as outlined in this Appendix are (1) vocational and occupational training; (2) the use of Visual Education through motion picture films, this to include technical pictures related to the vocational training program, pictures of a cultural nature showing the history and development of the United States and other historical subjects; (3) an educational program on current topics. It was suggested, under such a program, that educators and other well informed persons could participate in a well-grounded lecture program on current topics and other subjects of interest.

This type of educational program is as essential to patients at a mental hospital as it is for men committed to the Correctional Authority by the courts with a view to their rehabilitation.

One of the important aspects of such an educational program is that it will better fit many of the patients to meet the problems of life in a competitive society when the time comes for them to be unconditionally discharged, or placed out in the community under the supervision of the superintendent of the hospital and his staff.

For those who have had special training of a vocational or occupational character, there should be established adequate provision for vocational adjustment and guidance in securing employment in the community immediately after discharge. This could be a joint function participated in by those who have charge of the patients' educational program and the superintendent of mental hygiene, who, it is proposed, will have charge of all extramural services.

2. Mental Deficiency

One of the best chapters in the report of the majority of the members of the Commission is that which deals with the Exeter School, and I subscribe to that report in toto.

At the expense of repetition, may I call attention to the underlying social philosophy of this supplementary report, viz., to nip

in the bud the potential institutional case, and where such **prevention** is not possible, to carry on a scientific program of diagnosis and treatment looking to cure or rehabilitation. Nowhere is this approach of greater significance than in the field of the mentally deficient.

Some two years ago a special committee was appointed by the Providence Council of Social Agencies to study the total problem of the mentally deficient as it presented itself in Rhode Island. The committee did not have the funds or the staff to make a complete and accurate factual survey. It did appear, however, from statistics which were available, that there were in the State of Rhode Island at least 8,000 individuals who could be classified as mentally deficient, and possibly as high as 10,000. This was based upon national statistics, including certain statistical data which were obtained as a result of "the draft" in World War I.

It will be recalled that the current population at Exeter School for a number of years past has been approximately 800. It was recommended by the majority of the members of the Commission that facilities should be established in the near future at Exeter School for the care, treatment and custody of approximately 1,000 mentally deficient individuals. This leaves a potential caseload of at least 7,000 mentally deficient individuals in this State with respect to whom we, in Rhode Island, have no program.

In the previous section of this report dealing with the proposed Division of Mental Hygiene it was recommended that there be established a new position, a superintendent within the Division of Mental Hygiene who would have responsibility of extramural services. There are great opportunities for such extramural services with respect to the mentally deficient. Three major recommendations are made:

(a) The establishment of a continuous State-wide register of the mentally deficient.

(b) The establishment, in cooperation with the State Department of Education and the public schools and parochial schools of this State, of a system of psychometric tests.

(c) The establishment of a program of social guidance for feeble-minded boys and girls from the time they leave school up to their "majority."

(d) Expansion of existing psychometric services rendered by the Department of Social Welfare.

(a) The establishment of a continuous State-wide register of the mentally deficient.

Early in 1942 the Director of Social Welfare, acting upon the recommendation of the Supervisor of Analysis and Research, initiated such a State-wide register. In a period of some sixteen months, we have secured the names and basic characteristics of approximately 7,000 feeble-minded individuals. The data of the register have been obtained from several institutional sources in the Department of Social Welfare, from various welfare divisions of the Department, from public school systems, and from private agencies.

The Division of Analysis and Research has been greatly handicapped in building up this register because of lack of adequate technical personnel and because the sources of information are not wholly dependable.

The importance of a State-wide register which would, throughout the years, give an accurate detailed picture of the feeble-minded in the State of Rhode Island, cannot be over-emphasized.

The State-wide register should be under the direct supervision of the superintendent of extra-mural activities of the Division of Mental Hygiene.

(b) The establishment, in cooperation with the State Department of Education and the Public Schools of this State, of a system of psychometric tests.

Every individual in the State of Rhode Island by law is, in the early period of his life, required to attend a public or private school. The largest number of children in private schools is in the parochial schools.

It is recommended: That every public school system which receives financial support from the State, as a condition of receiving such financial support, be required to have **group psycho-**

metric tests of all school children at least once in the early life of the school child; that, when it appears from these group tests that certain children show evidence of being mentally deficient, the case be immediately referred to the superintendent in the Division of Mental Hygiene in charge of extra-mural activities. It will be the duty of such superintendent to have an individual scientific psychometric test for the boy or girl so referred. He shall report his findings back to the school system from which the case was referred. This will have two important results: first, the school system in question will know that it must establish for the mentally deficient child special treatment in backward classes; second, there will be a basic source for a complete and accurate State-wide register of the mentally deficient.

(c) **The establishment of a program of social guidance for feeble-minded boys and girls after they leave school.**

The superintendent of extra-mural activities in the Division of Mental Hygiene would give social guidance to feeble-minded boys and girls from the time they leave school up to their "majority."

The Director of Social Welfare, in the past year, has been working in cooperation with the School Department of the City of Providence in seeking a solution of this acute problem, namely, social guidance of the mentally deficient boy or girl who leaves the school system at sixteen years of age. The school system has fulfiilled at this period its entire obligation. It has given the mentally deficient child the best education which that child is capable of receiving. At least the school system should have achieved this result.

The records in this State as well as in other States show that the best education which these handicapped individuals can receive is, generally speaking, a sixth grade education. This applies only to the higher I. Q. ranges of the mentally deficient. In the lower I. Q. ranges, the school child leaves at the age of sixteen with a third or fourth grade education, or less.

Under the present social practices we are turning out of the schools of Rhode Island in the neighborhood of 300 such handicapped mentally deficient children annually. As the individuals

leave school at sixteen years of age, there would be four years before the individual reached his twenty-first birthday and his "majority." We have, therefore, at all times approximately 1,200 children between the ages of sixteen and twenty-one who are seriously handicapped in mental equipment and education.

One of the prime needs of the State is to give post-school guidance with a view to assisting this unfortunate group in adapting themselves to community life and especially to enable them to secure a place in private industry where they can carry, in part at least, their load.

We must recognize that even in times of normal high employment there are many difficulties which are presented to the normal child in finding his place in life and adjusting himself to earning his way in a highly complex industrial order. To the feeble-minded child, equipped, in many cases, with not more than a fourth grade education, it is almost impossible for such an individual to find his proper niche in the industrial order without social guidance. It is remarkable that in Rhode Island and other states these feeble-minded individuals have in the past adjusted themselves and found a place whereby they could earn a living and make their contribution to production of wealth of the community; that they have on their own achieved this result does not relieve the community of its social responsibility.

Our failure to give such social guidance to these highly handicapped boys and girls has not only undesirable social results but it is also costly to the State. We have not adequate statistical data, but from his own experience the Director of Social Welfare can point out the undesirable social results and the cost to the State because we lack a program. May I cite a few:

Delinquency: Records of Sockanosset School, of the Women's Reformatory, of the Providence County Jail and of the State Prison show too high a percentage of feeble-minded individuals who find themselves eventually in the meshes of the criminal law. We should not be surprised at this when we turn out annually from our schools some 300 boys and girls, mentally deficient and with an education equivalent to that of the third or fourth grade. If we cast these individuals into the maelstrom of a highly competitive society without guidance, what can we expect?

Industrial Turnover: The records of the personnel management in our industries and our commercial houses will show, I am sure, that there is a high percentage of turnover in employment amongst the mentally deficient. This is inevitable, unless the employer, when he employs a feeble-minded boy or girl with an education equivalent to the fifth grade, knows the character of the individual whom he employs. There are many types of employment in which the mentally deficient can and do excel. These are simple tasks of a repetitive nature. As long as too much is not expected of such an individual, he is efficient within his ability. He is also frequently more steady, more dependable and more loyal than is his more highly endowed brother worker.

It is important, therefore, in this field of guidance, that the employer know just what he can expect of this unfortunate group. It is also important that the individual himself know just what his limitations are. It is also important that his family know these facts.

We can have confidence that such a program of social guidance would result in a fine adjustment of a great majority of these mentally deficient people. It would prevent a considerable percentage of them from stepping outside of the law, seeking to make a living through anti-social conduct in contravention of the laws of society. This would be a high social achievement. It would save the State thousands of dollars annually in preventing this group from landing in our institutions.

In passing, I may say that, when these mentally handicapped individuals approach middle age and begin to slow down, we find them cluttering the relief rolls of both public and private welfare agencies. In this field of social guidance we have limited the social guidance program to the period between the time the feeble-minded boy or girl leaves school and to the time of his "majority." It is proper during that period for the State to occupy a position of "loco parentis." It is conceivable, in fact highly probable, when these individuals reach their "majority," and have received counsel and advice from the Division of Mental Hygiene, that they will voluntarily call upon this Division during their adult life in the event they require further social guidance or help in adjusting themselves to community life. This will prevent many from going "on relief."

(d) Expansion of existing psychometric services rendered by The Department of Social Welfare.

In discussing extra-mural services of the proposed Division of Mental Hygiene, it was pointed out that there had been in the Department of Social Welfare a State Pschiatrist who had rendered psychiatric services to institutions and divisions of the Department and also to certain private agencies. So, in the field of Mental Deficiency, there has existed for several years, under the direct supervision of Director of Social Welfare, a State Psychometrist. This individual has likewise performed psychometric services for state institutions and divisions in the Department of Social Welfare and also for several private agencies. It is recommended that this State Psychometrist and the psychometric services rendered be placed under the direct supervision of the superintendent, who, it is proposed, will have supervision of all extra-mural services in the Division of Mental Hygiene.

These services could well be expanded so that, upon request, psychometric tests could be made for any private agency desiring an individual psychometric test as well as for the respective divisions and institutions within the Department of Social Welfare.

In passing, it should be recalled that in the recommendations set fourth in Chapter II with respect to a Correctional System it is proposed that there be established a Diagnostic and Treatment Clinic. This clinic will have its own full-time psychiatrist and its own full-time psychometric services. In consequence, the extra-mural services in the fields of psychiatry and psychometry, rendered under the supervision of the superintendent in charge of extra-mural services of the Division of Mental Hygiene, would not apply to the Correctional Program.

The Defective Delinquent Case of Donald Bennett.

In closing this section of the report dealing with a Division of Mental Hygiene, it is highly important that consideration should be given to one of the most difficult problems, namely, the "Defective Delinquent." Dr. Joseph H. Ladd, Superintendent of Exeter School, at the request of the Commission, presented the following definition of this class of case:

"A defective delinquent is a person whose mental development, as measured by the commonly accepted psychometric test, has been retarded at least 25% in relation to his chronological age, who has understanding and control of his actions and who habitually performs anti-social acts of considerable gravity of his own volition and on his own initiative."

It will be seen from this definition that not all feeble-minded individuals who commit acts which are infractions of our criminal statutes can be classified as "Defective Delinquents"; neither can all of the mental defectives who may have committed repeated acts in contravention of the criminal statutes.

I am attaching hereto, marked Appendix IX, a statement which appeared in "The Providence Journal" and "The Evening Bulletin" at or about the time the Donald Bennett case was so highly publicized in the press of this State. This statement of Dr. John E. Donley, former Director of Social Welfare, and one of the leading psychiatrists in Rhode Island, deserves special consideration, not only in connection with the "Defective Delinquent," but in connection with this whole problem of the mentally defective population in our State.

This Supplementary Report has presented what we have termed an "Integrated Program." No better illustration could be found to show the need in this State of such an "Integrated Program" than does the case of Donald Bennett.

The Majority Report contains an exhaustive psychiatric and casework study of this boy. Briefly summarized, Donald Bennett had a feeble-minded mother, and, evidence showed, a brutal and sadistic father. At an early age it appeared that Donald Bennett had an intelligence quotient of approximately forty, which might well put him in the class of "imbecile." He was committed to Exeter School and escaped on some twelve different occasions. On several of these occasions he committed infractions of the criminal statutes and found himself in the meshes of the criminal law.

He was twice sentenced by the courts to the Men's Reformatory on "fixed" sentences. Dr. Joseph H. Ladd, Superintendent of Exeter School, marked on the books of Exeter School the word "discharged" on each occasion he was convicted by the

courts. The report of the majority members of the Commission seems to question the propriety of Dr. Ladd's legally discharging him from Exeter School. The writer of this report has in his possession a legal opinion to the effect that a man cannot be committed to two institutions at the same time nor be at the same time under the custody and control of a Superintendent of an institution for the feeble-minded and the Warden of the correctional institutions.

The Majority Report makes a considerable amount of criticism, all directed against the Department of Social Welfare, in connection with Donald Bennett, running back over a period of time which represents practically all of the period that the present Department has been in existence. This Supplementary Report cannot take the time nor has the writer the disposition to answer all of these criticisms. The major criticism was that on the termination of Donald Bennett's last "fixed" sentence, the Department of Social Welfare had a responsibility to return Donald Bennett to Exeter School. Let us assume for the moment it did. There are, however, certain constitutional provisions with respect to the protection of the life and liberty of any individual. This boy mind you, was sentenced for a "fixed term"; he served his sentence in full. The question arises, where did the reponsibility lie to see that he be recommitted to Exeter or some more appropriate institution. It might as well have lain in the Courts of the State of Rhode Island as in the Department of Social Welfare. The point we wish to emphasize is that **the Donald Bennett case illustrates the soundness of the "Integrated Program" herein proposed.** We must realize that there will be other Donald Bennett cases in the future. Let us review, therefore, the proposed "Integrated Program":—

(1) Under the system proposed in this Supplementary Report, Donald Bennett, upon first entering school, would have received a "group" intelligence test. Such a test would disclose that he probably had a low intelligence quotient.

(2) The Superintendent of Extra-Mural Activities in the Division of Mental Hygiene would have received Donald Bennett for a detailed examination, both as to his intelligence quotient and as to his psychopathic symptoms,

if any. It would have appeared immediately that he was a boy of low intelligence. Two courses would have been open: It could have recommended that he return to school and be placed in "a backward class," or it could have recommended that he be sent to Exeter School for special training and custody. Let us assume the wisest course was taken, viz., that he be sent to Exeter School because of his low intelligence quotient.

(3) He then would have begun his series of escapes. The first time that he was arrested and brought to trial and convicted, under the proposed "Correctional Program," **he would not have received a "fixed" sentence.** He would have been committed to the Correctional Authority, as recommended in Chapter II of this report. The first thing the Correctional Authority would do would be to turn him over to the Diagnostic-Treatment Clinic. It will be remembered that this Clinic is to be composed of specialists; to wit, a physician, a psychiatrist, a psychometrist and other specialists. This Clinic would have discovered at this period (a) that Donald Bennett had congenital syphilis, and (b) that he was beginning to show a mental deterioration due to syphilis; in consequence, he was a potential mental case as well as mentally defective.

(4) In case such was the diagnosis, the Correctional Authority would have recommended to the Director of Social Welfare that he be transferred from the Reformatory to the State Hospital for Mental Diseases for an indefinite term of treatment, for life if necessary.

CHAPTER IV

DIVISION OF HOSPITALS

It is recommended that there be established in the Department of Social Welfare a division to be known as the Division of Hospitals. This division is to comprise what is now known as the State Infirmary and the Tuberculosis Sanatorium at Wallum Lake. It would be under the direct supervision of the Superintendent of the Clarke General Hospital.

In the Majority Report of this Commission it was recommended that what is now known as the State Infirmary be called the Clarke General Hospital. It was also recommended that the Tuberculosis Sanatorium at Wallum Lake be transferred from the State Department of Public Health to the State Department of Social Welfare.

THE CLARKE GENERAL HOSPITAL

With respect to the Clarke General Hospital the following recommendations are made:

(1) That as soon as practicable all patients now at the hospital who after careful study are shown not to be suffering from any form of illness which requires medical or nursing care, be removed from the Clarke General Hospital.

(2) That as soon as practicable, in the future, unless an individual has an acute or chronic disease, or has an illness other than a mental or contagious disease, or is a woman coming to the hospital for prenatal care and obstetrical services, he shall be provided for, if in need, by the Division of Public Assistance.

The State of Rhode Island has an admirable program in the Division of Public Assistance of the Department of Social Welfare, which takes care of individuals over 65 years of age who are not ill. This is the Old Age Assistance Program. In this Division of Public Assistance, the Rhode Island Program affords financial aid to every type of person who is in need of financial aid. There are, therefore, no citizens of Rhode Island who need to be segregated as has been done in the past, either in a State Almshouse or in County or City Poor Farms.

With all needy individuals young and old who are not ill removed from the Clarke General Hospital, this institution could then be available to give treatment to major types of physical illness:—

1. Chronic diseases.
2. Acute medical and surgical diseases, including expectant mothers.

In an address delivered by our Governor, J. Howard McGrath, on September 23, 1943 at the Annual Meeting of the Rhode Island Conference of Social Work, the Governor said:

"The provision of medical care for our people is still far from adequate despite the great body of evidence showing that medical costs impose a heavy burden on large sections of the population and that much dependency on publicly provided income is attributable to ill health.

"It is the broad and long-range objective of this State to insure, through its policies, that no man, woman or child in Rhode Island shall unnecessarily die, be crippled, or handicapped merely because of the fact that he does not have funds to pay for adequate medical care. A part of this objective is the belief that this State and country should not be robbed of the productive and creative forces of any individual because he has not received proper medical care. Inherent in this objective is the determination that the State and its political sub-divisions shall not in the future be subject to the costs of providing assistance to dependent individuals whose dependency could have been prevented had they received adequate medical care. Fundamental to this objective is the determination that people in Rhode Island shall not lose their right to life, liberty and the pursuit of happiness merely because they do not have the money to pay for necessary medical care. The State is receiving very splendid cooperation from the medical profession in the development of plans to implement this objective, and our plans in this field are being developed in accordance with the highest ideals and recognized standards of the medical profession."

(1) **Chronic Diseases.**

One of the most constructive recommendations in the report of the members of the Commission was that there should be established at the Clarke General Hospital a Diagnostic Clinic for the study of chronic diseases. I am in full accord with these recommendations.

I go further and recommend that the Clarke General Hospital **specialize in treatment, as well as in diagnosis of chronic diseases.**

In the following paragraphs, I am summarizing certain data and conclusions from the book entitled "The Challenge of Chronic Diseases" by Ernest P. Boas, M. D., Attending Physician, Montefiore Hospital for Chronic Diseases, New York and Nicholas Michelson, M. D., Adjunct Physician, Montefiore Hospital for Chronic Diseases.

This book gives a brief historical account of the State Almshouse. It points out the State Almshouse in the past was a catch-all for various types of people. It included in its population not only the pauper but also the individual who was suffering from chronic disease but who was not financially able to take a long course of treatment in an approved hospital.

Drs. Boas and Michelson point out that chronic disease presents financial problems which throw an exceedingly great burden upon the family in the middle income group, to say nothing about the unbearable burden on the family in the lower income group. If a member of the family is ill with some acute malady such as pneumonia, he can either be treated at home by his family physician or go for a short period to a general hospital. While the financial burden of such an acute and transitory illness is great, it is not to be compared with the case of a chronic illness. The chronic patient requiring hospital treatment needs, at least, six months in a private hospital and may require a year or longer. Very few families but the rich can afford to keep a member of their family at a private hospital for six months or a year.

If, on the other hand, a chronic patient stays at home, Boas and Michelson point out that this patient places an undue burden, particularly upon the housewife. If she has a large family, she cannot afford the time or care for this chronic patient. She is faced with a dilemma, either neglecting the patient suffering from a chronic disease or neglecting the family. This often results in friction and frequently this friction results in broken homes.

The second outstanding fact in this book consists of statistical data. This data shows that during the past 25 years most forms of infectious diseases have been on the decline. The great advances in medical science have reduced the per capita percentage of individuals who suffer from such infectious diseases as

typhoid, diphtheria, and recently under the sulfa drugs, pneumonia and other forms of acute trachael and pulmonary maladies.

On the other hand there has been a rising curve in the cases which constitute various types of chronic disease, such as chronic heart trouble, arthritis, cancer, diabetes, etc. This rise in chronic diseasse is due in part to the fact that medical science has prolonged life. The average life expectancy increases as medical science reduces infectious diseases and especially deaths resulting therefrom. Improved sanitation and improved public health services constitute another cause for prolongation of life.

We all know what happens to our automobile, the longer we drive it the more chronic ailments develop in its mechanism. There are certain vital organs like the heart, the arteries, the liver, the kidneys and the stomach which, as life is prolonged, find themselves in the same position as the automobile which has been driven over 100,000 miles and chronic troubles develop.

These facts point to the growing need in every state in the Union to establish specialized hospitals to deal with chronic diseases.

An interesting feature in the book of Boas and Michelson lies in the conclusion that all patients suffering from chronic diseases are not by any means hopeless. They classify the "**Chronic**" in three classes:

Class "A" — Patients requiring medical care for diagnosis and treatment.
Class "B" — Patients requiring chiefly skilled nursing care.
Class "C" — Patients requiring only custodial care.

Drs. Boas and Michelson point out that patients falling in Class "A" and patients falling in Class "B" require hospital care and treatment. With proper care some of these can be discharged and returned to their homes and again take up activities, in part at least, as breadwinner or housewife. They may be likened to the "reconditioned" automobile or a typewriter. After diagnosis and treatment they again have a period of usefulness, as well as a period of happiness.

The Class "C" patient presents no medical problem. In him the disease is arrested leaving him with a permanent physical

disability. He may need some assistance in dressing, bathing and eating, but no expert nursing or medical care is necessary.

This type of patient would be better off either in his own home or in a Convalescent Home than he would in a hospital. The Convalescent Home is, therefore, an essential complimentary service to the hospital, specializing in the treatment of chronic disease.

In recognition of this fact, we have developed in this State a Convalescent Home program. All such homes are licensed and supervised by the Department of Social Welfare. We do need badly, however, a substantial increase in our Convalescent Homes. With this in view the Director of the Department of Social Welfare, in the latter part of October 1943, called together all groups in the State concerned with this problem. There were at the meeting representatives of most of the Private Hospitals, all Directors of Public Aid, District Nursing Associations, Family Welfare Associations and representatives of the State Department of Social Welfare. Everyone agreed that the Convalescent Home program required expansion.

A representative from one of the largest hospitals in the State pointed out that **one** out of **eight** of all patients currently coming to the hospital was a case of chronic disease. It is not feasible for a general hospital to specialize in chronic diseases, as chronic patients require a protracted period of diagnosis and treatment.

Center for Diagnostic Clinic—Chronic Diseases

This Commission recommended to the Governor, in an interim report, that the building known as the Reformatory for Men at Howard be abandoned as a Reformatory in order to enable that building to be used for diagnosis and observation of patients suffering from chronic diseases. I dissented from this proposal to remove some 125 young men from the Reformatory to the Prison. As shown in Chapter II of the Supplementary Report, this is contrary to the whole modern trend,—a trend toward diversified correctional institutions, especially for youth. I refer to discussion of this subject in Chapter II of the Supplementary Report, specifically to Appendix V. This appendix describes the Borstal System of diversified correctional institutions for youth.

In the event the recommendations herein made were carried out, it would not be necessary, in my opinion, to divert the Reformatory for Men to an entirely different social purpose.

If we placed all individuals now at the State Infirmary, who were not suffering from illness, outside of the institution and took care of them under a varied Public Assistance Program, we would materially reduce the present population of the Infirmary. If after further diagnosis we placed the Class "C" chronic patients in Convalescent Homes we would further reduce the population of the Infirmary.

In the event that this reduction in population did not leave sufficient beds at the Clarke General Hospital for the care of the ill, I would recommend that the Clinic for Chronic Patients be placed in what is now known as the Jewish Children's Home. This excellent property is now available and could be rented by the State for a very moderate sum. Its location on Summit Avenue in the City of Providence is central and it would be more accessible to the medical profession and hospitals desiring to refer chronic cases to the Clinic than would any existing building at Howard.

(2) General Hospital Cases.

It is socially desirable that the Clarke General Hospital be available for individuals who may suffer from some acute physical ailment, or who require surgical aid. With respect to both medicine and surgery, the State Infirmary has excellent equipment. It has up to date, modern equipped surgical and obstetrical facilities, which compare favorably with any similarly equipped hospital in this state.

It has also the most modern X-ray and physiotherapy apparatus. The newly named Clarke General Hospital, therefore, is in a position to care for any type of medical case or any type of surgical case. It is finely equipped for prenatal care and obstetrical service.

At this point I refer to the statement herein quoted from our Governor. These far-reaching social objectives set forth by Governor McGrath with real social vision, could be realized at

the Clarke General Hospital. There we would give the most modern care and treatment to those suffering from acute or chronic diseases or to those who require surgical aid.

Already a program is in effect whereby individuals receive hospitalization at the cost of the State. There is a cooperative program of the Division of Public Assistance in the Department of Social Welfare with local Directors of Public Aid and with our private hospitals.

It may be said that a patient admitted to a privately controlled, voluntary hospital under these conditions is regarded to a degree by the staff as a "Charity Patient." This would not be true, at least not to the same extent, if the individual were free to go to the Clarke General Hospital in case he was embarrassed financially and could not afford to pay for private hospital services. It is a fact that many individuals who are not on "relief" and who have never been on "relief" would seriously object to going to a private hospital under the best of cooperative programs which savored of "charity."

It is no disgrace to be sick or to require a surgical operation. It is no disgrace even for a family in the middle income group not to have the ready cash to meet the quick emergency which arises when an individual is taken with an acute disease which requires an immediate surgical operation. What a fine thing it would be to have a general hospital operated by the State "free to all comers" irrespective of their financial embarrassment.

This would not mean that the State would bear the entire cost. We now have a well established principle that individuals who go to any of our State Institutions shall pay according to their financial ability or the financial ability of their families.

TUBERCULOSIS SANATORIUM, WALLUM LAKE

It is recommended that the Tuberculosis Sanatorium at Wallum Lake be one of the hospitals in the new proposed Division of Hospitals. This division would be under the general supervision of the Superintendent of the Clarke General Hospital. One of the best reports of this Commission was that which dealt with the Tuberculosis Sanatorium. I have ascribed thereto.

Here again, however, I feel that to a considerable extent the Commission erred in dealing with the problem of tuberculosis in "too narrow a reference." This section of the Majority Report would have been stronger, in my opinion, if it had dealt with the subject of prevention of tuberculosis and placed greater emphasis on post-institutional care and supervision after the discharge of the tubercular patient.

In each section of this Supplementary Report we have emphasized how important is the field of prevention. We have stressed the fact that, if we are going to solve in a constructive way the problems of any one of our institutions, we must establish means to prevent citizens of our State being thrown on the scrap heap. As one writer quoted in this report expressed it: All of these institutional cases represent the "diseased tissues of the community." These diseased tissues of the community are in a large part not necessary. In no field is this so true as it is in the case of this scourge of tuberculosis.

When discussing the general subject of Prevention in Chapter I, I took the occasion to quote a statement made by Mayor LaGuardia of New York at the last Annual Meeting of the American Public Health Association. It is worth repeating here. On that occasion Mayor LaGuardia said that they could in New York City prevent, "wipe out" so to speak, tuberculosis within 20 years, provided proper preventive steps were taken on a federal-state basis.

When I was in attendance at the meeting of the American Public Health Association in October 1943, there was (outside of the Pennsylvania Hotel) a specially built automobile. At first glance it looked like a large delivery truck. On each side of the body were a series of five visible pictures. These were illuminated from behind with electric lights. The pictures changed every few seconds. In this series of pictures, which amounted to some 60 pictures in all, with the rapid changes, there was shown to the public the whole history of the patient suffering from tuberculosis. It was a dramatic presentation. The pictures showed the nature of the tuberculosis germ; how it developed and spread in the "culture" of the patient's lung; how it was transmitted from one member of the family to another; how sanitary steps

could be taken. The pictures also showed how easy it was to cure this dread disease if it was caught at its inception. The pictures also showed the proper methods of treatment in the institution and also showed the proper methods of post-institutional care after the patient had been discharged. This educational exhibit was given by the Health Department of the City of New York. I am advised it is in constant operation all over the City.

This is one method of public education in the way of prevention of tuberculosis. It is strongly recommended, therefore, that the State of Rhode Island take steps to develop a preventative program in this field. This educational program should be under direct supervision of the Superintendent of the Tuberculosis Sanatorium. He should work, however, in cooperation with the private associations in this State now dealing with prevention in the field of tuberculosis.

Here, again, the State Security Council, as recommended in Chapter I of this report, would in the course of years make outstanding contributions. We in Rhode Island can wipe out this scourge of tuberculosis if we exercise foresight and are prepared to spend a moderate sum for prevention.

Research and Investigation

In the section dealing with Mental Hygiene we quoted a statement from the paper delivered by Drs. Ruggles and Fitzpatrick at a meeting of the American Psychiatric Association. May I repeat, in part, their statement:—

"It is not unreasonable to ask that out of every dollar necessary for new buildings, one cent be appropriated to stimulate investigation and research."

In the field of physical illness there is a most fruitful field for investigation and research. We are just beginning to think in terms of Preventive Medicine. While the time may not be ripe, I strongly recommend that at a not too distant date there be established a Research Department in the Division of Hospitals. It should be implemented by the best talent which could be secured in the country in the field of medical research. It would keep this State abreast of the research and discovery which is going forward in medical science, in bacteriology, in bio-chemistry.

When a new drug like Penicillin is discovered, this department on medical research would be amongst the first to find out what could be achieved by such a new drug; how it should be administered, what the dangers were with respect to its adminstration and its limitations. Such a department could give instruction to members of the medical profession in the use of such new medical discoveries. It would constitute a state center, "**a clinic**" of research and of modern medical knowledge, available to doctors, technicians and members of the nursing profession.

To illustrate the great importance of a Department of Medical Research, I call attention to a very recent discovery with respect to the treatment and cure of Tuberculosis. It is needless to relate the far-reaching effects of a scientific discovery which would practically eliminate this disease, which is a prey on the community, and from which no citizen is immune. A few years ago Dr. George W. Raiziss of Philadelphia found that Diasone holds promise of controlling tuberculosis chemically almost as effectively as the sulfonamides control streptococcus and other infections.

Dr. Charles K. Petter, Superintendent of the Lake County Tuberculosis Sanatorium, Waukegan, Illinois, was the first Tuberculosis Sanatorium doctor in the United States to administer Diasone to patients.

The treatment of tubercular patients with this drug (diasone), accordi ng to Dr. Petter, showed remarkable results. I quote from Dr. Petter: "An analysis of the therapeutic results show 100 per cent improvement in all the minimal cases."

"Marked improvement was recorded in one-third of the sixty-day group, one-half of the ninety-day and three-fourths of the 120-day group. Moderate improvement was recorded in the remainder."

Concluding his statement Dr. Petter said: "We feel that the sulfone compounds, which have been studied clinically, are definitely a step ahead in tuberculosis therapy, probably ranking with the advent of the Sanatorium and the collapse therapy."

This type of medical research opens up wide vistas. It is conceivable from the above statements of Dr. Petter that, if this type of medical discovery proved wholly successful, it would be

unnecessary in the future to have in Rhode Island and other states such an institution as a Tuberculosis Sanatorium. This goes back to a statement made in the Introduction of this report that the ultimate goal of Prevention would be to do away with the necessity of such institutions with which this report deals,—institutions which, after all, according to a statement hereinbefore quoted, represent the "diseased tissues" in the body of the community.

In addition to Tuberculosis, our Rhode Island communities as well as other state communities are confronted with a second scourge from which no citizen is immune; viz., Cancer. It is especially recommended that in this Department of Medical Research proposed for the Clarke General Hospital there be employed one of the best specialists in the United States to keep abreast of the scientific discoveries that develop in this important field. It is well known that Science has made progress and is making continual progress with respect to the causes which lead to Cancer.

There is no field in the world today where such rapid progress is being made as the fields of preventive medicine and surgery. In the course of the present war, marvelous things are being developed, especially in the fields of plastic surgery and therapeutic treatment of various types of infections. It is essential that Rhode Island should keep abreast of these advances. No individual doctor and no privately endowed hospital in our State is equipped to do what we envisage. In the Clarke General Hospital, we can establish a Medical Research Department which will keep our doctors, our nurses and our privately endowed hospitals abreast of every advance in this field of medical science which affects so acutely every citizen of Rhode Island.

CHAPTER V

DIVISION OF CHILD AND JUVENILE WELFARE

Today the eyes of the nation are centered on the problem of juvenile delinquency. We read every day in the public press, we hear repeatedly over the radio statements that, due to war conditions, juvenile delinquency is on the increase. Only yesterday the Catholic Bishops of America, in a statement dealing with post-war problems, made special mention of the fact that in the United States today there was a great increase in crime amongst juveniles and youth. It is significant that the Catholic Bishops state, in effect, that the most important way of meeting this problem is by prevention.

Well may the people of this Nation and the people of Rhode Island center their attention on children and the juvenile. It is so often repeated that the statement has become almost trite, that the very foundation of our Nation and of our Democracy lies in what we do for our children, for juveniles, and for youth in the all important formative stages of their life. America, above all nations, has been alive to this highest of responsibilities.

In this Nation we spend a greater portion of money raised by taxation on education of children and youth than we do for all other purposes. This is true also in the State of Rhode Island.

With all due respect to my associates on this Commission, in no area of its report has the Commission gone so far astray as in its over-all treatment of children and juveniles. This result was, in my opinion, inevitable, because of the fact that the majority members of the Commission in their approach to this whole problem treated the institution in "isolation." They failed to realize that in the various fields such as mental illness, mental deficiency, physical illness, and crime, so-called, there must be an integrated program, and that the institution is but one instrument or "tool" for a constructive solution of the particular problem.

A review of this Supplementary Report will show that in Chapter II there was proposed a Correctional Program. This is quite different from dealing with prisons, jails, and reformatories. It

was recognized that the correctional instutitions were a focal point in a Correctional Program, but that the institution was but one of several instrumentalities. So, in Chapter III, we did not deal with the State Hospital for Mental Diseases as an isolated factor. We proposed a Division of Mental Hygiene. The Hospital for Mental Diseases was a factor, but only one instrumentality in an integrated program dealing with the problem of mental illness and mental deficiency. So again, in Chapter IV, we did not deal with the State Infirmary and the Tuberculosis Sanatorium as in isolation. We proposed a Division of Hospitals. Here again the institutions were focal factors, yet regarded as instrumentalities in a total process with important extra-mural services.

In no field is this method of approach so vital as in the field now under discussion which deals with Child Welfare and the Welfare of Juveniles. We mean by this all children up to the age of 16 years.

An illustration of what appears to me a fatal error in the majority report is the recommendation that there be established a separate division of institutions with a specific recommendation that the State Home and School be removed from the jurisdiction of the Children's Division and placed in the division which deals with institutions. This recommendation is clear evidence that the majority members of the Commission seem to believe that the institution is an **end in itself** rather than a **means to an end,** and only one of several important means or instrumentalities to achieve a social objective.

It is recommended that there be established in the Department of Social Welfare a division to be known as the ''Division of Child and Juvenile Welfare.'' This division will comprise several highly important functions. It is proposed to integrate these functions into one division. The goal is to attain an important social objective, namely, the proper care and treatment of neglected and dependent children and juveniles, and of the more unfortunate class of children and juveniles who find themselves in the toils of the criminal law.

It is highly important to recognize the social philosophy now accepted generally throughout the United States with respect to the offender under 16 years of age. I quote an excerpt from

the Reports and Studies prepared for the New York State Constitutional Convention as follows:

> ''Its purpose is not primarily to punish a child for the commission of a specific wrong or to declare the nature of his legal rights, but to discover the causes of the child's neglect or delinquency and then to determine what can best be done in his interest and in the interest of the State to rehabilitate him or to arrest further neglect or delinquency.''

The reader will see that the Constitutional Convention of the State of New York recognized that children under the age of 16 years should not be subject to the criminal courts, and should never be stigmatized with the concept of a ''Criminal.''

Barnes and Teeters, in their recent book entitled ''New Horizons in Criminology,''* in a chapter entitled ''Children's Courts and Child Guidance Clinics,'' (p.922 ff.) state that the chief characteristics of the juvenile court for minors included such radical departures from tradition as the following:—

1. Separate hearings for children's cases.
2. Informal or chancery procedure, including the use of petition and summonses.
3. Regular probation service, both for investigation and supervisory care.
4. Detention separate from adults.
5. Special court records and probation records, both legal and social.
6. Provision for mental and physical examination.

Barnes and Teeters quote E. H. Sutherland, in his book entitled ''Principles of Criminology,'' to the effect that the first, third and sixth ''**are stated to be absolutely essential, so that a court without any one of them is not a juvenile court.**''

The principal sources of dissatisfaction, as shown in legislative studies made in New York State and similar studies by students of juvenile and youth delinquency, arise from the following:

1. Too many juvenile courts (both full-time and part-time, i. e., criminal courts which function as juvenile and domestic relations courts on one day a week) are merely criminal courts for juveniles. They do not give specialized treatment to juveniles and so fail completely of their purpose.

*Ibid.

2. Too many juvenile courts lack both the case work investigators and the variety and quality of diagnostic and treatment facilities necessary to deal successfully **and continuously** with the problem children that come before them.

We seek, in the proposed Juvenile Court System for Rhode Island, to provide all the foregoing requisites.

Recommendations

It is recommended, therefore, that there be established, in the Department of Social Welfare, a division to be known as the Child and Juvenile Welfare Division. This division would consist of two coordinate sub-divisions:—

1. A Welfare Sub-division.
2. A Juvenile Court Sub-division.

1. A Welfare Services Sub-division (see Chart VI)

This sub-division would carry on the well established and valuable functions of the existing Children's Division, viz.: (a) a foster home program, (b) an adoption program, (c) a licensing of day nurseries and maternity hospitals, and (d) the existing Child Welfare Services Preventive Program.

This sub-division would also have available under its direct supervision two institutions. These institutions would be utilized only in such cases where it was not possible to place juveniles in foster homes or in some approved institution. They would constitute Service Institutions for Juvenile Offenders, and certain juveniles with abnormal behavior patterns of such a character that they would be classified by a diagnostic clinic in the same group as the juvenile offender. These two institutions would be:—

1. What is known as the Oaklawn School for Girls.
2. The State Home and School as a Training School for boys under the age of 16.

In connection with these institutions, it is reasonable to assume that, after diagnosis and classification of juveniles, the great majority of boys and girls under the age of 12 years would not be committed to institutions. The prevailing opinion of specialists in the field is that institutionalizing of young children

is not a sound method of treatment. This is true whether the child be a neglected or dependent child, or whether he has committed some juvenile offense. Therefore the Training School for Girls and the Training School for Boys would comprise a population between the ages of 12 and 16, with a few minor exceptions.

The statute with respect to the Oaklawn School for Girls should be amended so as to remove from it the stigma of a "correctional institution" and make of it a Training School. Under the existing statute the Oaklawn School is a semi-penal institution. All girls who go into it come from the criminal courts.

In Chapter II it was recommended that Sockanosset School for Boys be transformed into a reform school for youth between the ages of 16 and 24. This would leave for disposition boys between the ages of 12 and 16. It is recommended that two or more of the existing cottages, according to the need, at the State Home and School, be utilized for this juvenile group.

One of the major reasons for establishing Sockanosset School as a youth school is the importance of separating pre-adolescent boys from adolescent boys. Without going into too great detail, psychologists and specialists in this field of Child and Juvenile Welfare are all agreed that both the physical and mental characteristics of the pre-adolescent boy differ greatly from boys in their adolescent period. All are agreed there is grave danger in mixing these two groups in one institution. (See Chart No. VI)

Administration Building and Reception Center

There would have to be, in connection with the program herein outlined, an Administration Building for the Division of Juvenile and Child Welfare. There would also have to be a Reception and Classification Center where juveniles could live temporarily prior to being placed in foster homes or institutions.

It is believed there would be sufficient room at the State Home and School for adminstrative functions and for the functions of a reception and classification center, in addition to the State Home and School serving as a Training School for Boys whom it was necessary to commit to an institution.

This would be far from an ideal situation, and in time there should be established a small modern institution for boys under 16 years of age, and there should also be established an Administration, Reception and Classification Center for this Division.

The State Home and School is an institution which is 53 years of age. As stated in the Report of the majority members of the Commission, it is to a large extent a "run down" institution. It is located in the Mount Pleasant district, beautifully situated on a hill. The institution owns about 75 acres of land, most of which is not today utilized. In recent years this section has become a highly developed residential section. The 75 acres have great potential value for a real estate development. This land could be sold in the post-war period. It would undoubtedly, if sold in the open market, realize a substantial sum of money. This sum might well be adequate to build a small institution for boys between the ages of 12 and 16 and either build or acquire an adequate center for (a) adminstration of the division, and (b) a Reception and Classification Center.

2. A Juvenile Court Sub-division

It is recommended that the Juvenile Court System, hereinafter outlined, shall be established within the Department of Social Welfare. It shall function as a welfare sub-division hand in hand with the sub-division on Child and Juvenile Welfare Services.

This would involve the complete separation of the Juvenile Court from the Department of Justice. At first glance this may appear to be a radical departure. The reader is referred to the quotation above named from the Constitutional Convention of the State of New York, and the reader is also referred to the statement quoted from the book by Barnes and Teeters, which sets forth the essentials of a Juvenile Court. It is clear from both of these statements that the modern concept of a Juvenile Court is one which is entirely divorced from the principles and objectives of a Department of Justice. The criminal procedures in the Department of Justice are based primarily on the concept that the offender against the laws of society is, to a degree at least, responsible for his anti-social conduct. Because of this responsibilty it is

the attitude of society to meet out to the offender what we call "justice." This concept is incompatible with the whole basis of the modern juvenile court system. There we do not place the responsibility on the child. We recognize that whether he is a neglected or dependent child, he, as a child, is not responsible for it. The same is equally true, if not more so, of the juvenile offender, so-called, in the formative period of childhood.

In the chapter on Prevention, statistical data was cited to show that the child and juvenile offender came primarily from community sources of infection, viz., from homes in the slum districts of our cities where either the families were subject to poverty, or if not subject to poverty, were in the lowest income group. We cited figures to show boys coming to Sockanosset School came from the slum districts of the City of Providence where our under-privileged families live.

FUNCTIONAL OPERATION OF THE JUVENILE COURT SYSTEM

1. The Juvenile Court Judge

It is recommended that the Juvenile Court Judge, which we may say in passing is not quite the proper term, should be an individual with a background of psychological, pyschiatric and sociological training. He should understand normal human behavior from a psychological standpoint, and the reasons for deviations from normal behavior. He should be qualified, as is the psychiatrist, to see the child as an integrated personality, and as a sociologist he should understand that the home, the comminuty environment, together with the prevailing "mores" of a sub-normal community area, are vital factors in child and juvenile delinquency, as well as in abnormal behavior of children.

Seldom, if ever, would we find a lawyer or a judge who would have had the professional training essential for an understanding of these psychological and social principles.

It is recommended, therefore, that the juvenile court judge should constitute a position under the classified civil service, under specifications which would embrace the foregoing essential

characteristics needed for this type of position. It is further recommended that the position should be filled as a result of a nation-wide open competitive examination. It would be preferable that the individual have, in addition to academic qualifications, experience in the juvenile field. Such experience might constitute that of serving as a juvenile court judge in a modern system, or it might constitute some individual man or woman who had been in charge of a modern training school for boys or girls.

We use the word Juvenile Court "System." The word "system" is used because the non-judicial procedures of the juvenile court judge must be closely related to the sub-division, hereinbefore mentioned, of Child and Juvenile Welfare Services. To point up the significance of this, reference is made to the essentials of a juvenile court system hereinabove quoted. It was there stated that three essentials must be embodied in a juvenile court system; otherwise it does not exist. There is pre-investigation, that is to say, a complete social casework study of the child's home and his environment; then diagnosis, physical and mental. This also involves pre-investigation, the results of which should be on the judge's desk at the time of the formal hearing. The third requisite, which is one of the utmost importance, is the supervision of the juvenile in case he is committed to the sub-division of Child and Juvenile Welfare Services.

As has been indicated, the judge, if he found any form of commitment necessary, should commit to the Division of Child and Juvenile Welfare. That Division, on the basis of casework study, and on the basis of the diagnosis, would have several dispositions open to it:—

(a) Placing the child under supervision in his own home.
(b) Placing him in a foster home or an approved institution.
(c) In extreme cases placing the girl or boy in the Oaklawn Training School for Girls, or in the State Home and School, if a boy.

On and after commitment, the sub-division of Child and Juvenile Welfare, working at all times in cooperation with the Juvenile Judge, would have complete supervision over the child, and if committed for his "minority" would act as a guardian of the person of the child. This sub-division of Child and Juvenile

Welfare would, like the Correctional Authority described in Chapter II, have great flexibility with respect to ''release.'' In other words, the commitment by the court, even if made for the child's ''minority'' would be an indeterminate commitment.

Before concluding this chapter, it is important to stress one vital point. There are always those in a community who consider themselves as ''realists.'' Too frequently this group of self-appointed ''realists'' regard proposals such as are herein set forth as either ''sentimental'' or as is often said ''stargazing.'' If the ''realists'' would take time to study the available vital statistics, especially with respect to juvenile offenders, the writer is convinced that they would conclude that this program with respect to children and juveniles is highly realistic. The records in our own State amply justify certain general conclusions. We send, after a trial in the criminal courts, a boy 8, 10, or 12 years of age to Sockanosset School—a semi-penal institution. All too frequently, after he has been at Sockanosset School on an average of one year, he is a ''recidivist'' and finds himself back in the toils of the criminal law. He then reaches an age where, if he reappears as an offender against the law, he is sent to the Reformatory, where he spends on an average of a year, and all too frequently again is a ''recidivist.'' He then reaches the age of ''majority.'' He repeats the offense. All too frequently the offense is a felony and he goes to the State Prison. In other words, he starts with the Court of Criminal Justice, he goes to a boys' semi-penal institution, then ''graduates'' to a reformatory, then to a prison.

In Chapter II on Corrections, it was highly recommended to the reader that he take time off and read certain books which amply justify the foregoing social prognosis of the juvenile offender from his first offense up to the time he becomes a confirmed criminal. These are not theories. They are facts. Therefore, if we are going to prevent criminal careers, we must approach children, juveniles and youth in their formative period of life from an enlightened social and scientific point of view.

This report has stressed before the cost of criminal careers. It is not generally recognized that it is a two-fold cost. First is the direct cost to the State of building institutions, and the direct cost to the State of keeping juveniles and youth in these institu-

tions. We stated that the annual cost to keep such an inmate was approximately $550 a year. This direct cost is, however, the least cost which the taxpayer and society has to pay. The indirect costs are enormous. We urge the reader to read the first ten or fifteen pages in Appendix II to this report. It shows how crime has increased in the United States of America. The cost to banks, to business houses, to individuals by the depredations of the criminal run into hundreds of millions of dollars in this country annually. There is another great indirect cost. When we take able-bodied young men and adults out of society and place them in reformatories and prisons, we lose the creative and productive capacity of each and all of those individuals.

Several years ago, I attended in New York City a taxpayers' meeting. One of the speakers cited the cost of a modern locomotive. It is my recollection he said that the capital cost of such a locomotive was at least $25,000 and any big modern locomotive ran as high as $40,000. He stated the interest at 5% on $40,000 was $2,000 a year. He then stated that if you look at a productive man who earns $2,000 a year, that he represents for society a capital investment of $40,000. We have in our little State some 500 adults in Correctional Institutions. If we take the realistic attitude that they are equal to the capital investment of a $40,000 locomotive, we are throwing on the scrap heap 500 highly valuable pieces of man-power which would represent a capital investment of $20,000,000.

Personally, I do not like to speak of human beings in terms of mechanism or mechanical power, but the "realist," as hard-boiled as he is, might well think of man-power in the same terms as he thinks of mechanical power. No industrialist would throw on the scrap heap a piece of machinery worth $40,000 if he could do anything to prevent it. By taking constructive social and scientific steps in the formative period of childhood and scientific steps in the formative period of youth, we can prevent criminal careers. We can prevent this human wastage.

CHAPTER VI

INSTITUTIONAL PERSONNEL

The subject of Institutional Personnel is one of the most important sections of this report. In the course of the report we have dealt with this subject as it applied to the Correctional Program. There are certain considerations with respect to personnel which are common to all our State Institutions. These can be best dealt with in a separate chapter.

I do not like the term "personnel." There is something rather cold about it when applied to individuals working in the field of Social Welfare. I am always impressed when I attend a meeting of a Labor Union and hear the chairman address the Union Members as "Brothers and Fellow Workers." Let us think, therefore, of the employees in the Department of Social Welfare as brothers and fellow workers. It is significant that in the whole department we have in normal times approximately 1,400 of these fellow workers. In our Institutions alone we have approximately 900.

There is sorely needed a new, and if I may say so, an enlightened attitude toward this particular vineyard of social welfare. This is peculiarly true with respect to the workers in our Institutions.

Those who have carefully read this Supplementary Report have seen that there underlies it one pattern, applicable to all our Institutions. This pattern is the historical development which has taken place whereby the institutions, once considered places of "custody" and "restraint," have been changed to institutions in which there is therapeutic treatment looking to cure and rehabilitation. We have seen this historical development in the case of the Mental Hospital. This institution, once known as the "Mad House," is now a hospital. So the institution which it is now recommended will become the Clarke General Hospital was once a State Almshouse, a place for the indigent poor, then popularly known as "paupers." We have seen the same historical development taking place in our Correctional Institutions. From institutions of custody and restraint, they are becoming institutions for therapeutic treatment, looking to cure of moral and social illnesses.

This historical development alone indicates how essential it is that we obtain a new and enlightened viewpoint with respect to the workers in these Institutions. Most any type of individual as an employee might have been considered good enough in the days when the Insane Asylum was a place of custody and restraint. Most any type of individual as an employee was considered good enough when we had a State Almshouse, a place of custody for human derelicts. So, any ordinary policeman might have been good enough at the State Prison when that was an institution of custody and restraint in a regime where the primary function was "punishment" and "social revenge."

Under the changed concept with respect to the functions of our Institutions, a most important need is a change in the character of the institutional employees. In our State Hospital for Mental Diseases, in our State Infirmary, in our Tuberculosis Sanatorium, such a change has already taken place with respect to the professional and technical group. Here we have highly qualified doctors, professional graduate nurses, and numerous highly skilled professional technicians. We have, however, a long way to go with respect to the other classifications. In order to bring all of the workers in our Institutions up to a standard essential to carry out the new functions of therapeutic treatment and cure, there are a number of steps required:

1. An adequate "pay plan" for every classification of the State Civil Service, as these relate to institutions.

2. An 8-hour day for all institutional employees.

3. A program of "in service" training, applicable to every Civil Service classification which relates to institutional help.

4. Proper housing accommodations at these institutions, which are geographically isolated from the community.

5. A program looking to providing at these instituions, geographically isolated, a full community life for the employees.

These recommendations will be discussed in the order above named.

1. An Adequate "Pay Plan"

It can be stated categorically that the pay of the various Civil Service classifications at our State Institutions is wholly inadequate to attract and to hold the high type of personnel required under this new concept, namely, therapeutic treatment looking to cure and rehabilitation. The only exception, perhaps, is the pay given to the superintendents and a few top-flight officials.

It is recommended, therefore, that the State Civil Service Commission make a special study with a view to establishing an adequate "pay plan" for all Institutional Civil Service classifications. Without reflecting upon the ability and character of the Civil Service Commission, may I suggest that in making such a study, the Commission should temporarily employ an expert, with funds made available by the General Assembly. This expert should be directed to go to several of the states in the Union which are recognized as leaders in the institutional field. There he could obtain data with respect to the pay scale of various types of institutional help. He could also talk with superintendents of different types of institutions and obtain their views as to whether the "pay plan" in the state under consideration was adequate. After a thorough exploration, extending at least over a period of six months, the Civil Service Commission would have data upon which to make a decision with respect to all institutional Civil Service classifications, estimate the cost of an adequate "pay plan," and make a recommendation to the Governor.

May I stress one highly important phase of this subject of adequate pay. I refer to the pay of what might be termed the "rank and file." My experience at Howard has taught me several great lessons. One of the greatest of these lessons arises out of the services rendered at the Mental Hospital and the State Infirmary by what we have considered the lowliest of our employees, viz., "attendants." This group of our employees is the most poorly paid group in our State Institutions; the minimum of the pay plan is $50.00 a month with an allowance of $360.00 a year for "maintenance." We must realize that "maintenance" does not mean too much to a worker who receives the paltry sum of $600.00 annually. The result is that the weakest link in the whole program of therapeutic treatment looking to cure and re-

habilitation is in the attendant. This low pay in this age of rising salaries and wages cannot help but attract the dregs of the labor market. Yet, it is these attendants who are in more constant contact with the patients at the Mental Hospital and the Infirmary than any other class of employees. They are with the patients day and night. The doctors go home and go to bed at night, with a few doctors left in a central office in case of an emergency.

These institutional patients are the husbands and wives and children of citizens of Rhode Island. Many of them, if they are not husbands and wives and children of the readers of this report, have been your friends, your neighbors.

The State of Rhode Island is not meeting its social obligations when it pays attendants in cash $600.00 or at best $800.00 a year, with the expectation that it will attract a class of individuals who you would like to have day and night in attendance upon a member of your family, or upon a good neighbor.

May I say something about these attendants? You would be surprised to know how many attendants at our State Institutions have stayed on year after year with this almost inhuman pay, and in many cases inadequate living quarters. Yet in spite of this they have stayed on. Why? There is something, and we may be thankful for it, that touches the very heart of people who are working amongst the mentally ill, the physically ill, or the neglected or feeble-minded child. Many of these attendants who have served our State, some of them as long as 15 years in lowly capacities, have a sort of "consecration." Nothing else can explain their devotion, and their continuity of service. Is Rhode Island going to ask this group of consecrated individuals to await their award in Heaven?

2. The 8-Hour Day For All Institutional Employees

Many of the leading states in the Union, after a long battle, have won the public and the General Assembly to the 8-hour day. It is not necessary to dwell on this. May I point out one or two important illustrations. We have at the State Hospital certain wards for what we call "disturbed" patients. These acute cases

frequently are not able to take care of even the simplest of physical needs such as dressing, washing, or going to a toilet. To expect a high-class individual to work a 12-hour day in such a ward is inhuman both with respect to the patient and with respect to the employee. Similar illustrations could be given with respect to every institution.

It is true the establishment of an 8-hour day will cost a very considerable amount of money. It will be an expenditure well worthwhile. It will better enable the State of Rhode Island to meet its social responsibilities to the unfortunate and the handicapped individuals who find themselves under institutional care and treatment.

3. A Program of "In Service" Training

One of the most important steps which should be taken at all our institutions is a program of "In Service Training." We have adopted "in service" training with respect to physicians, nurses, and in a slight degree at the State Mental Hospital with repsect to housekeepers and attendants.

One might inquire why it is necessary to have "in-service" training for professional employees, when it is assumed that they had professional training before coming to the institution. The answer lies in the fact that in institutions like the Mental Hospital, the Infirmary, Exeter School, Wallum Lake, and others, there is year by year going on marked scientific progress. A graduate from a medical school in 1925 could almost be classified as a "hay-seed" physician if he does not keep abreast with the rapid progress in these highly specialized fields. The same is true of graduate nurses and professional technicians.

In what we call "the rank and file" classification, there is a special need for "in-service" training. We can visualize that with a proper "pay plan" we will attract to our institutions attendants, cottage mothers and fathers, boy and girl supervisors, and like employees of considerable education and of real character. This type of employee, however, needs to have courses of training with respect to his particular job. If I should point out the greatest weakness at certain of our Institutions, it would be the lack of training of this type of employee. As the Director

of Social Welfare I have been distressed beyond measure at the type of cottage father and mother, for example, at Sockanosset School. I have been distressed at the type of cottage mother at the State Home and School, and so-called Boys' Supervisors. Without reflection upon these people, they are not fulfilling the functions of cottage mother or father, the functions of boys' or girls' supervisors. There is existent no adequate program of any in-service training for these jobs for which training is highly essential.

There are other classifications also where an "in service" training program would be most desirable. I refer to such classifications as cooks, cook's helpers, junior dietitions and others who have to do with the preparation and serving of food. It is not every cook, whatever his previous experience, who can meet the special needs of patients suffering from mental or physical illness.

Here again, a well-rounded program of in-service training would cost money. Such an expenditure would pay to the State greatest dividends.

4. Proper Housing Accomodations

It must be borne in mind that our State Institutions are located at Howard, Rhode Island which is some fifteen miles from the City of Providence. Because of this distance and infrequent bus service, Howard is, to a very considerable degree, isolated from any city. This isolation from the center necessitates that a very considerable portion of the essential help at the Institutions live on the institutional grounds.

There is particularly needed additional housing for resident physicians, for certain important technicians and for a number of important administrative executives working at the two hospitals. There is also badly needed housing for officers and guards at the State Prison. It is highly desirable to have all officers and guards living at or near the two correctional institutions in order to be available in case of any emergency.

A survey by the Director of Social Welfare indicates that there should be at least twenty-five housing units constructed to meet the foregoing requirements. It is not proposed that these housing units be high-cost units. They might well follow the

architectural pattern which has been established by the Federal Housing project at Newport and at or near Quonset Point. Attractive two-family houses can be built today at a moderate cost.

Within a short period of time there will also be required additional dormitory facilities at the State Hospital for Mental Diseases and at the State Infirmary. This will be especially true if the recommendations of this report are carried out with respect to an eight-hour day.

5. A Program to Provide Community Facilities for Employees

One of the first needs at Howard is a Community Building. The fundamental character of this building should be a community gymnasium. The need for a community gymnasium was cited in the chapter on Mental Hygiene. This building should be something more than a gymnasium. It should include facilities for basketball, volley ball, indoor tennis. It should have adequate bowling alleys. In addition thereto, there should be recreation rooms. These will provide for a lounge room and rooms for card playing and other games. A special section of this building should be set aside for a community library. It would be desirable to have in the basement of the building a swimming pool.

This combined gymnasium and community center would be available in the daytime to patients at the Mental Hospital, to the patients of the Clarke General Hospital and for men or boys in the correctional institutions. Each of these institutions could have seperate days when this institutional building would be available to a particular institution. This would avoid intermingling of different types of patients or inmates.

In the evenings the building would be available to all types of institutional help. It would be an institution about which the Director of the Department and the various Superintendents could organize a whole series of community activities.

Since the writer of this report has been Director of Social Welfare, one of the chief complaints on the part of the institutional workers is the fact that in the wintertime, there is nothing for them to do in the evenings when they are not assigned to duty.

The bus service to and from Providence is such that few of the employees, especially in the hard winter months, feel like going into Providence.

A facility, as proposed, is highly essential. The happiness and health, mental and physical, of these institutional employees is a matter of first order if we are to treat the wards of the State right.

CHAPTER VII

MAJOR POINTS OF AGREEMENT AND DIFFERENCE BETWEEN MAJORITY REPORT AND SUPPLEMENTARY REPORT

Before concluding this Supplementary Report, it would appear desirable to call attention to some of the major points of agreement and difference, as they appear to the writer, between the Majority Report and the Supplementary Report.

Major Points of Agreement

The writer of the Supplementary Report is in agreement with the following:

1. The Reports of the majority with respect to Exeter School, the Wallum Lake Sanatorium, and the Report on Religious Services. In connection with the report on Exeter School and Wallum Lake, the Supplementary Report proposed certain extra-mural services in addition to the improved services recommended for the institutions per se.*

2. The writer of the Supplementary Report is in general agreement with the recommendation of the Majority Report with respect to a change in the State Infirmary in order to make it a general state hospital. The Supplementary Report, however, is in disagreement on this subject on several specific points. These points are:

(a) While the Supplementary Report is in full accord with the establishment of a diagnostic clinic for chronic diseases, it will be recalled that the Supplementary Report recommended that the Clarke General Hospital should specialize in the ''treatment'' of chronic diseases as well as in the ''diagnosis'' thereof.

(b) The Supplementary Report recommended that there be established, in the proposed Division of Hospitals, a Division of Medical Research.

(c) The Supplementary Report, while in accord with the general idea of a social study clinic, believes that there should be created ''A Diagnostic-Treatment Clinic.'' This clinic should not be

*The writer is in full accord with the Majority recommendarions on Religious Services.

under the supervision of the superintendent of the Clarke General Hospital, but should be under the supervision of the Correctional Authority proposed in Chapter II of this Report.

3. The writer of the Supplementary Report is in general agreement with respect to the statements in the Majority Report which have to do with Sockanosset School and Oaklawn School. The writer of the Supplementary Report could not agree to the reports on Sockanosset School and Oaklawn School for reasons which are apparent in the Supplementary Report. For example, the Supplementary Report proposes a complete change in the character of Sockanosset School, and recommends that it be made a "training school" for youths between the ages of 16 and 24 under the proposed Correctional Authority. Also, the Supplementary Report recommends a change in the character of Oaklawn School, making it a "training" school instead of a correctional institution. The report also places Oaklawn School under the supervision of a division to be known as the Child Welfare and Juvenile Welfare Division.

In passing, may I say that Oaklawn School, under the direction of its present Superintendent, Miss Isobel Knipe, is doing, in the opinion of the Director of Social Welfare, an outstanding piece of social work in training and rehabilitation of the girls at Oaklawn. The School, however, is greatly handicapped, as stated in Chapter VI, because it is in fact a semi-penal institution.

Points of Difference

The reading of the two reports indicates a very considerable number of points of difference. There are, however, several major points of difference which require, in the opinion of the writer, special comment:

1. The recommendation in the Majority Report for Boards of Trustees for each of the Institutions.

2. The recommendation in the Majority Report for the creation of a new Department of State Institutions, thus dividing the existing Social Welfare Department into two departments, one dealing with institutions, and the other dealing with welfare services.

3. The Majority Report took exception to several important organization steps established with respect to the State Institutions, viz., Centralization vs. Decentralization: Fiscal Accounting, Central Maintenance and Farm Program.

4. A Fundamental Difference of Approach: Instead of treating the State Institutions as ''isolated'' factors, the Supplementary Report regards the Institutions as but one instrumentality in a three-fold social process of prevention, rehabilitation, and extramural supervision.

The above major differences between the two reports will be discussed in their order:

(1) Boards of Trustees

The writer of the Supplementary Report is opposed to the recommendation for creating Boards of Trustees for each of the State Institutions. It is fair to say that when this proposal was first made, the writer objected to it. Later, the members of the Commission agreed that these Boards of Trustees should have no administrative functions, but would work in the field of what might be called public relations and planning. At this point, the writer was willing to go along with the majority.

A further consideration by the writer led him to the conclusion that Boards of Trustees would perform no useful function in an ''Integrated Program'' as is proposed in the Supplementary Report. In lieu of Boards of Trustees, the writer of the Supplementary Report, in Chapter I on Prevention, recommended the establishment of a State Security Council. This Council would carry on into peace-time the constructive social functions in the fields of social welfare, public health, education and labor which have been performed by the State Council of Defense.

This Security Council would be a mobilization of all community resources in much the same manner as we in Rhode Island have mobilized all community resources under the State Council of Defense. It would naturally have sub-committees dealing with all social welfare problems, including the problems of our State Institutions. It would be a body which would make continuous plans with respect to all agencies of the State which have social objectives.

This State Security Council, in the opinion of the writer, is a much more constructive solution than separate Boards of Trustees.

It is important, however, to raise certain questions with respect to Boards of Trustees. In the opinion of the writer, a Board of Trustees for an institution like the State Mental Hospital, for example, could operate only in one of several fields:

(a) Such a board could be given by statute certain administrative functions. (b) Such a board could be given by statute certain policy-making functions. (c) Such a board could be given certain functions with respect to long-term planning. (d) Such a board could be a public relations board, as a liaison between the institution and the general public.

In the opinion of the writer, functions "a" and"b" are inconsistent with what has been referred to in this report as the Green Reorganization Act. This is a basic state administrative statute. In the Reorganization Act there is a well concieved plan of public administration. There is, first of all, an Executive Department of which the Governor is the head. The Executive Department constitutes the over-all administrative and policy-making department of the State, subject to the laws of the State passed by the General Assembly, which lays down policies.

Under the Governor there are seven departments which are both policy-making and administrative. The Director of the department is the over-all executive, and upon the Director are imposed both policy-making functions and administrative functions.

It will be seen that this is a modern streamlined system of public administration. The appointment of Boards of Trustees that had either administrative or policy-making functions would interfere with the basic principles of public administration which were achieved in the Green Reorganization Act.

In case this point of view is accepted, the Boards of Trustees would have neither administrative functions nor policy-making functions. Long term planning is a major policy-making function. In this connection, it should be borne in mind that the superintendents of our respective State Hospitals and the Warden

of the State Prison are highly specialized men in their respective fields. Most of them have been selected under Civil Service.

It has been recommended in the Supplementary Report that all superintendents, including the warden, should be selected on a nation-wide competitive basis by a civil service examination.

It should be apparent that these specialists, acting in cooperation with the Director of Social Welfare, are the best qualified men to develop long-term policies and plans. What contribution a group of laymen, who would have no scientific qualifications and who have had no administrative experience could make, it is difficult to see.

There would, therefore, only remain for a proposed Board of Trustees a very narrow field of public relations acting as a liaison between the institutions and the public. Without minimizing the importance of this, it is submitted that the Director of Social Welfare and the highly specialized men in the technical fields involved are in a much better position to do a public relations job than are unqualified laymen. The Director of Social Welfare is constantly called upon to speak before community organizations. The respective superintendents of hospitals, including the warden, are frequently called upon to speak before community organizations and over the radio. To the knowledge of the Director, they have done a splendid piece of public relations work. This has been done as no Board of Trustees could do it, because these highly specialized men know what they are talking about. The Director of Social Welfare also has constant relations with the press of the State, and is in the best position to prepare statements with respect to the social objectives, as well as the administration, of the department in all its phases.

(2) Creation of a New Department of Institutions

The second major difference arises from the proposal to create, out of the existing Social Welfare Department, two departments.

A careful reading of the Supplementary Report, and the basic plan which underlies that report, clearly indicates why the writer believes that the creation of two departments, a Social Welfare Department and an Institutional Department, would be a retrogressive step. The recommendation of the majority is based

upon an assumption which, in the opinion of the writer of the Supplementary Report, is a false assumption. The assumption is that there is a distinction between **welfare services** and **institutional services.** The institutional services are not only highly important welfare services, but a reading of the Supplementary Report clearly shows that it is impossible to separate the welfare services of the institution from many other welfare services rendered by the Department of Social Welfare. A few examples will suffice:—

(a) In the proposed Correctional Program, it was recommended that the highly important Division of Probation and Parole should be directly under the supervision of the Corectional Authority. It is well to recall the fact that, at the writing of this report, there were some 2,400 individuals on probation and parole who had been convicted of criminal offenses, as compared with some 750 in all our Correctional Institutions. At the present time, there is not sufficient integration between the Correctional Institutions and the Division of Probation and Parole. Yet, at the same time, the Correctional Institutions and the Division of Probation and Parole are both subject to the over-all supervision of the Director of Social Welfare. Under the proposal of the majority members of the Commission, the Correctional Institutions would be in one department of the State and the Division of Probation and Parole in an entirely different department, each subject to a different director. This would indeed be a retrogressive step.

(b) The Majority Report recommends that the State Home and School, which, under an order of Governor McGrath, was integrated with the Children's Division, should be in the proposed Department of Institutions, and the Child Welfare Services in the proposed Department of Social Welfare. Thus, we would have a situation where we would be operating a foster-home program in one department and a home for neglected and dependent children in an entirely separate department. This is contrary to the whole concept of a modern child welfare division. It would make impossible in this State a modern juvenile court system as was proposed in Chapter VI of the Supplementary Report. It would make impossible an integrated Child and Juvenile Welfare Division. It will be recalled that in the Supplementary Report two ju-

venile institutions were recommended to be placed in the division dealing with child welfare and juveniles, viz., the State Home and School and the Oaklawn School for Girls. This is a progressive step. To have these two juvenile institutions separated from a child welfare program is contrary to every modern concept with respect to the care and treatment of juveniles.

(c) The Supplementary Report proposes, for the State Mental Hospital, for the Exeter School, and for Wallum Lake, extra-mural services which are closely integrated with the institutions,—the institutions being the focal factors, but not separate from the problems of mental hygiene, mental deficiency and such medical problems as tuberculosis.

(3) Centralization vs. Decentralization: Fiscal Accounting, Central Maintenance and Farm Program

As pointed out in Appendix VIII, the Director of Social Welfare, working in cooperation with the State Department of Finance and the State Budget Officer, established a plan whereby the bookkeeping with respect to Institutional expenditures, and what is termed Fiscal Control, were placed under the direct supervision of the Division of Business Management. It was explained that the centralization of accounting did not take away from the respective superintendents the power of discharging personnel, or the power to purchase, within the limits of the respective appropriations, any type of consumable goods. The system merely relieved the superintendent of the bookkeeping functions, and set up a system whereby any superintendent would know at any given period just where his appropriation account stood. This system will have, in the opinion of the writer, two important results:

(a) It will relieve superintendents of a great deal of mathematical detail, thereby freeing them for their main duties of the care and treatment of the wards of the State, and

(b) It will undoubtedly result in saving the State a great deal of money.

Centralized Maintenance

The Majority Report takes exception also to a plan approved by the Governor and the Director of Finance where a vast amount

of maintenance and repairs at Howard was brought together in a centralized maintenance and construction repair unit. As explained in Appendix VIII, this merely followed the pattern existing in the City of Providence, or in any good sized community, of having an engineering department. This also will relieve the superintendent of this necessary phase of institutional work and give him more time to attend to his main objectives, the care and treatment of patients. It will also undoubtedly save the State very considerable sums of money.

Institutional Farm Program

It was explained that, some four years ago, three farms at Howard were centralized and put together in what is known as the Institutional Farm Division. In Appendix VIII we set forth in detail how the creation of one Institutional Farm under a highly skilled agriculturist had produced food in greater quantity and in greater variety than had ever been available to the wards of the State at Howard. In addition it had resulted in the improvement of the dairy herds, the poultry flocks, and the swine herds. Also, this program made available farm products on an equitable basis to all wards of the State at Howard, where formerly the farm products were available only to the Mental Hospital, the Prison and Sockanosset School.

With respect to the fourth major difference as set forth above, namely, the Method of Approach in the Majority Report and in the Minority Report, this difference is so fundamental that it will be considered in the following chapter, "Conclusion."

CONCLUSION

In the Introduction to this Supplementary Report, attention was called to the fact that there had developed in the United States an extremely interesting inter-relationship among a number of national organizations which existed in the respective fields of what is known today as the Social Sciences. As was pointed out these national organizations engaged in scientific research, including statistical research, pulling together the most modern developments in several scientific fields. The membership of these associations is not primarily an academic membership, but comprises professional men actually engaged in administration. In the mental field, for example, we call attention to the National Committee for Mental Hygiene and the American Psychiatric Association. Both of these comprise in their membership superintendents and other key officials in the leading mental hospitals of the United States. So again, in the correctional field, we call attention to such an organization as the American Prison Association whose membership comprises the leading administrators of prisons and juvenile correctional intitutions, both federal and state.

We called attention to the fact that each of these national scientific and research organizations had reached, in general, a unanimity of opinion. Summarized, this opinion is that in the field of Social Sciences there are three important phases, whether we deal with the physically ill, the mentally ill or the so-called criminal and juvenile offender: (1) There must be a program of Prevention. (2) Where Prevention fails there must be a program based on the best available scientific knowledge as to the method of "treatment" to effect either cure or rehabilitation of the afflicted individual. (3) There must be a program for the "re-establishment" of the individual into free society.

The foregoing Report, in its respective chapters, has followed this scientific approach with respect to the various types of individuals who find themselves in our State institutions.

My associates on this Commission did not approach the problem from the foregoing point of view. In saying this, I would not have the reader conclude that the majority members of the Commission did not, at certain points in the Majority Re-

port, avail themselves of available scientific knowledge and the application of that knowledge to institutional problems. What I seek to convey is that, on the whole, the Commission did not rely upon the great body of scientific knowledge and its application. This was available to the Commission in the form of well-thought-out programs.

In my opinion, the failure of the majority members of the Commission to avail themselves of such existing programs that are based on the present scientific knowledge and the best conclusions reached from that knowledge, led to several unfortunate results:

(1) It led the majority members of the Commission, in December 1942, to recommend to the Governor in an "Interim Report" that the Reformatory for Men should be closed as an institution for reforming young men, and utilized as a Diagnostic Clinic.

This recommendation involved transferring young men from the Reformatory to the inside of a walled prison where they would live in "captivity" behind iron barred cells.* The great success which England achieved under the Borstal System of highly diversified institutions was pointed out in Chapter II. The Supplementary Report, therefore, instead of recommending placing youth behind stone walls mingled with confirmed offenders, went in the opposite direction and recommended a greater diversity of institutions for youth than at present exists in this State.

The writer can say without fear of contradiction that there is not a single specialist in the field of Penology who wolud not agree that the recommendation of the majority members of the Commission was not only reactionary, but was extremely dangerous. It would be a body blow to preventing criminal careers at the most important point, namely, the formative period of Youth.

(2) The failure of the Commission to take advantage of the existing scientific knowledge and conclusions reached therefrom led, in the opinion of the writer, to a second reactionary step. This is the recommendation of the majority to divide

*See Minority Report of C. J. France, Appendix VII.

the existing Department of Social Welfare into two separate State Departments, (a) a Welfare Service Department and (b) an Institutional Department.

The reader who has followed with any degree of thought the foregoing Report, will realize that specialists in Social Science all agree that you cannot separate the **intra-mural functions** of an institution from the **extra-mural functions.** I commend to the reader's attention Chapter III of this Supplementary Report which recommended there be established in the Department of Social Welfare a Division of Mental Hygiene. It will be recalled that this Division depicted a well rounded integrated program of both extra-mural services and intra-mural services for the mentally ill. Every specialist in the field of Mental Hygiene is agreed that the mental hospital must move out into the community if we are going to combat in a constructive way this critical problem of mental illness.

So again, in Chapter II dealing with the Correctional program, it was shown how important it was to integrate several important functions: the function of sentence, the function of treatment and rehabilitation, the function of "release," and above all the function of post-institutional supervision under the Division of Probation and Parole. The Majority Report fails to take this into consideration. As stated in Chapter VII, if the recommendation for creating two departments were adopted, we would find our Correctional Institutions in a Department with our hospitals, entirely separated from the important Division of Probation and Parole. How a Division of Probation and Parole could work constructively under such a separation, it is impossible for the writer to conceive.

In Chapter VII, it was also pointed out that you could not separate a program of Child and Juvenile Welfare from the institutions dealing with the care and rehabilitation of juveniles. The very fact that we have somethimg over 1,200 children in foster homes and only a few hundred in juvenile institutions points up the necessity of an integrated program where Extra-Mural Welfare Services and Intra-Mural Welfare Services for children are closely integrated.

It may be argued that the existing Department of Social Welfare is too large, and that it would be better from the standpoint of administration to divide it into two departments. Such an argument is entirely fallacious. No great manufacturing corporation would consider dividing various important manufacturing functions which belong together because the company was too large. Industry has met this problem of size in the one way in which it can be met. It has streamlined the organization and created within the organization several divisions. Each division has at its head a highly skilled man in the particular phase of manufature with which the division of the company has to cope.

This system of administration was what the Reorganization Bill had in view when it took some forty odd bureaus and brought those bureaus together which belonged together and placed them under one State Department. Having created an integrated State Department, the administrative system was further streamlined by creating "divisions" within the Department.

Great progress has been made in the Department of Social Welfare, especially during the present administration, in creating divisions within the Department, each of which has to do with a specific social objective and function.

The recommendations in the Report propose a further streamlining of the Department of Social Welfare. In the event the recommendations herein proposed were adpoted, we would have, under the Director of the Department, the following divisions:

1. A Division of Public Assistance, which would deal with all types of people outside of institutions who were in need of financial aid or other forms of relief such as, for example, medical care.
2. A Division of Mental Hygiene. In this Division, there would be brought together for the first time all of the existing functions under the State administration which deal with the mentally ill or the mentally deficient, both inside and outside of institutions.
3. A Division of Hospitals, which would bring together for the first time the two hospitals of the State dealing with acute or chronic illness.

4. A Correctional Division, which would bring together for the first time all of the social objectives and functions of the State in dealing with individuals convicted of criminal offenses. For example, the Correctional Institutions and the Division of Probation and Parole would be brought together in one Division.
5. A Division of Child and Juvenile Welfare. Under this Division, there would be brought together for the first time all of the social objectives and administrative functions of the State dealing with juveniles, both inside and outside of institutions.

In addition to the above, in the institutional field there are several operational functions of a service character. These, too, have been brought together in separate divisions:

1. A Power Division. This important service to the institutions at Howard was, during the present administration of Governor Mc Grath, centralized in one division, with a highly qualified Power Engineer at the head.
2. A Division of Iustitutional Farms. As was shown in Appendix VIII, three farms were put together in one large farm. The head of this Division is a highly qualified man in the field of modern scientific farming. This centralization of the production of food, including field products, milk, eggs, and the production of pork and poultry, resulted in production of larger quantities of food and greater variety of food for the institutions.
3. A Central Maintenance and Repair Division. All maintenance and repair functions at Howard were centralized in what might be termed one engineering division, under a competent Construction Engineer.
4. A Division of Business Management. The highly important functions of bookkeeping and fiscal control were centralized under a Division of Business Management. This, for the first time, creates a modern system of accounting with respect to all institutions which expend annually in excess of two million dollars.

It should be clear, therefore, that there is no reason for dividing the Department of Social Welfare because of the size of the

Department. It is only a question of proper organization, a proper division of functions and placing over each of these divisions a highly qualified man, either a professional man or a highly qualified technological man, as the case may require.

This Supplementary Report is a long report. The fact that it is so long has been a cause of considerable concern to the writer. There is, however, a justification for its length.

It was the understanding of the writer that when Governor McGrath first appointed this Commission he had in mind that the Commission should make what might be termed a **Social Architectural Plan,** or blueprint, for the future. That this was the objective seems to be clear in the two resolutions passed by the General Assembly, one in the session of 1942 and the second in the session of 1943.

One cannot very well make a blueprint or Social-Architectural Plan without doing two things--one, setting forth the Plan in considerable detail with respect to all its various phases; and two, explaining the scientific and social basis upon which the Plan is founded.

As stated in the Synopsis of this Plan, it is not contemplated by the writer that every phase of it should be adopted immediately. In this connection, may I refer to the many far-reaching plans that have been made by leading municipalities. The City of New York has such a plan. It runs into a thousand or more pages. It is a plan looking forward to the orderly development of the greatest metropolis in the world over a period of the next twenty-five years. The Planning Board of the City of New York is constantly revising this plan as conditions and needs change.

It is essential in the welfare field that we have a comprehensive plan for Social Guidance and Action. Failing to have such a plan, we will be proceeding in the future, as we have in the past, on a "hit or miss" basis. In my opinion, the wisdom of the Governor of this State in appointing a Commission to make such a Social-Architectural Plan showed vision and foresight.

Post-Word

There is included in this report Appendix X. This appendix comprises letters from leading authorities in the field of penology, endorsing the proposal for a Correctional Authority as outlined in Chapter II.

APPENDIX I

List of Reports of State Commissions, National Associations and Research Organizations

******

(1) Governor's Message and Report of Commission to Investigate the State Public Welfare Commission and all Departments Thereunder...Made to The General Assembly, 1929, Rhode Island.

(2) Proceedings of The Governor's Conference on Crime, The Criminal and Society, State of New York, 1935.

(3) Proceedings of the Seventy-First Annual Congress of The American Prison Association, San Francisco, California, 1941.

(4) Report to the Honorable Legislature of the State of New York of the Joint Legislative Committee to Examine Into, Investigate and Study the Existing Facilities for the Care and Treatment of Children, "Young People in the Courts of New York State," 1942.

(5) Handbook of American Prisons and Reformatories, Fifth Edition, Vol. II, Pacific Coast States, 1942. Osborne Association, Inc.

(6) Report to Governor Herbert H. Lehman from the Commission for the Study of the Educational Problems of Penal Institutions for Youth, New York, 1936.

(7) Yearbook, National Probation Association, "Social Defenses Against Crime," New York, 1942.

(8) National Commission on Law Enforcement and Observance. George W. Wickersham, Attorney General United States, 1939. Vol. I, "Report on the Causes of Crime."

(9) The Attorney General's Survey of Release Procedures, Vol. II, Probation, 5 Vols., 1939.

(10) Report of the Joint Legislative Committee to Investigate Jurisdiction of the Children's Courts, Known as Children's Court Jurisdiction and Juvenile Delinquency Committee, State of New York, 1939.

(11) Special Report by Commission to Investigate Prison Administration and Construction, "An Educational Program For New York State's Penal System," Presented to The Legislature of the State of New York, 1932.

(12) Special Report by Commission to Investigate Prison Administration and Construction, "A Preliminary Report on an Educational Project at Elmira Reformatory," Presented to The Legislature of the State of New York, 1933.

(13) Report of Joint Legislative Committee on Children's Court Jurisdiction, State of New York, 1941.

(14) Report of the Joint Legislative Committee to Investigate Jurisdiction of the Children's Courts, Known as Children's Court Jurisdiction and Juvenile Delinquency Committee, State of New York, 1938.

(15) Report by the New York State Advisory Committee on Prison Industries to the Commission to Investigate Prison Administration and Construction, Presented to The Legislature of the State of New York, 1932.

(16) Report of the Joint Legislative Committee to Investigate Jurisdiction of the Children's Courts, Known as Children's Court Jurisdiction and Juvenile Delinquency Committee, State of New York, 1940.

(17) ''Preventing Criminal Careers,'' A Proposal for a Youth Correction Authority for the State of New York, 1941, Leonard V. Harrison, Director, The Committee on Youth and Justice, Community Service Society of New York.

(18) ''Chaos in Sentencing Youth Offenders,'' Leonard V. Harrison, Director, The Committee on Youth and Justice, Community Service Society of New York, 1943.

(19) ''Prisons Cost Too Much,'' Leonard V. Harrison, Director, The Committee on Youth and Justice, Community Service Society of New York, 1942.

(20) Report to the Judicial Conference of the Committee on Punishment for Crime, Washington, D. C., 1942.

(21) Hearings before Subcommittee No. 3 of the Committee on the Judiciary, House of Representatives, Seventy-Eighth Congress, First Session on H. R. 2139, ''A Bill to Provide Improvement in the Administration of Parole'' and H. R. 2140, ''A Bill to Provide a Correctional System for Adult and Youth Offenders Convicted in Courts of the United States,'' May 18 and 19 and June 10, 1943, U. S. Government Printing Office, Washington, D. C.

(22) Law and Contemporary Problems, ''The Correction of Youthful Offenders,'' School of Law, Duke University, Vol. IX, No. 4, 1942.

(23) ''Criminal Youth and The Borstal System,'' William Healy, M. D. and Benedict S. Alper, the Commonwealth Fund, 1941.

(24) Report of the Maryland Commission on Juvenile Delinquency, prepared by Dr. Herbert D. Williams, Superintendent of the New York State Training School for Boys, Warwick, New York, 1943.

(25) ''Principles of Child Care in Institutions,'' A Handbook for Staff Study and Discussion. The Ohio Committee on Children's Institutions, in cooperation with the Division of Public

Assistance, State Department of Public Welfare, Columbus, Ohio, 1941.

(26) Committee on Personnel Standards and Training, "Report to American Prison Association 72d Congress," Asheville, N. C., 1942.

(27) "Prison Labor in the United States," United States Department of Labor, 1940.

(28) "Treatment and What Happened Afterward," Healy, William, M. D. and Bronner, Augusta F., Judge Baker Guidance Center, 1939.

(29) White House Conference on Children in a Democracy, Final Report, 1940, Washington, D. C.

(30) "Feebleminded Children as a Massachusetts Problem," Jennette R. Gruener, Ph. D., Boston, 1941.

(31) Handbook for the Use of Boards of Directors, Superintendents, and Staffs of Institutions for Dependent Children—Children's Bureau, United States Departmment of Labor, 1936.

(32) "A Study of the Public Mental Hospitals of the United States, 1937-39," Federal Security Agency, United States Public Health Service.

APPENDIX II

The Proposed Correctional Authority

In the introduction of this report, it was pointed out that there had developed in recent years a most remarkable pattern with respect to the various Social Sciences, viz., the work of specialized national associations and scientific research organizations. In no field has this pattern been more highly developed than in the field of delinquency and crime. We have, for example, The American Prison Association, The Osborne Association Incorporated, and The American Law Institute.

Let us consider, now, the facts and conclusions of these organizations.

1. The Facts

In spite of the hundreds of millions of dollars spent on building institutions—prisons, reformatories and training schools for youth; in spite of hundreds of millions spent annually on police systems, on federal and state departments of criminal justice including the criminal courts and juvenile courts; in spite of the millions spent yearly for administration of the prisons, reformatories and juvenile correctional institutions, and additional millions spent on probation and parole systems, we have failed to solve the problem of Crime and the Criminal In fact, we are losing ground. **Between 1923 and 1940,** the number of prisoners in State and Federal Prisons increased seven times as fast as did the total population.

A second fact is that more than half of the swelling army of citizens who are in Federal and State Prisons are repeaters, or, to use a technical term, **recidivists.** In the study, ''500 Criminal Careers,'' Professor Glueck and Mrs. Glueck, in tracing 500 boys released from Concord, Massachusetts Reformatory, found that **80 per cent** were not reformed five to fifteen years later, but went right on committing crimes after their discharge.''*

So we find, of 1,483 Federal prisoners received under sentence of more than one year during the third quarter of 1941, 1,127 or 76 per cent were **recidivists.** Of the inmates in Pennsylvania's

*Glueck, Sheldon and Eleanor, ''500 Criminal Careers,'' Alfred A. Knopf, N. Y., 1930.

Eastern Penitentiary recently, 67 per cent had previously served time; in the Massachusetts State Prison, 70 percent; in the Louisiana Pententiary, 80 per cent (figures from The American Law Institute).

A third fact is that Youth Crime is, in certain types of crime, predominant. Youths are far in the lead over any five year group in arrests and convictions for burglary, robbery, larceny, and theft.

A Report of The American Law Institute points up this fact about youth:—*

> "Of all commitments to New York State penal institutions in 1940, over 35 percent were between 16 and 21 years old. In the whole country this age group committed half the auto thefts, a third of all burglaries, robberies and larcenies. These crimes against property are the habit forming crimes. Youthful offenders supply the recruits that make up the army of habitual criminals. Most of the repeaters that clog our courts and fill our prisons get started in adolescence. The situation is getting worse instead of better. In the first nine months of 1942, crimes committed by persons under 21 increased by almost 20 per cent over the same period in 1941. More persons 18 years old were arrested than in any other age group. At the same time, the figures for juvenile delinquency, particularly in all areas touched by war industries, are increasing alarmingly. As Governor Dewey said to the New York legislature last January:—
>
> " 'A high rate of juvenile delinquency means a high crime rate five years from now. It means a heavier load on courts and prisons and an increasing toll of human misery.' On the basis of experience after the last war and of present trends, experts are agreed that the economic and social maladjustments which are sure to follow the peace and demobilization will face us with the gravest crime problem in our history. We are not equipped to meet it and we shall not be unless responsible citizens and groups accept a greater share of the obligations for prevention and correction than they have hitherto."

*The American Law Institute, "Crime Today and Tomorrow."

A fourth fact, and one of significant import, is that a high percentage of these boys who start at an early age on a career of crime come from what we may term **community** sources of infection. This fact was stressed in Chapter I when we discussed and proposed a State Program of Prevention. It cannot be overemphasized. The old adage, "As the twig is bent so the tree will grow," is at the very root of this scourge on the body of society. As the Black Plague was only cured by public sanitation, so Crime can only be cured by far-reaching measures of community social sanitation.

An excellent documented public report on this subject is "The Report of the Joint Legislative Committee to Investigate Jurisdiction of the Children's Court" (Legislative Document, 1939, No. 75, New York State, submitted March 20, 1939). The study took the Health Areas of Greater New York as the geographical base. In Manhattan, the Bronx, Brooklyn and Queens, those sections having high juvenile arraignment were "black" on the map; those having low arraignment were "white," with shaded areas in between. The pattern was uniform. High rates of juvenile delinquency were in the slum and semi-slum areas where tenements, over-crowding, low standards of living, and too often dire poverty constituted the community pattern. Lowest rates were in the better residential districts.

This Legislative Report to the New York Legislature parallels the pattern in every city and state in the union. Poverty and the slum are not the sole factors. The children of the poor begin work at an early age, are poorly paid for their work, work irregularly, suffer from unemployment of their parents and from emotional conflicts of their parents and relatives. Also, they come to the period of adulthood deficient in education and with low physical vitality.* (See Studies by Clifford Shaw, Professor and Eleanor Glueck, The Osborne Association, Inc.)

The Wickersham Report, Volume 1, "Report on the Causes of Crime," concluded that maladjustment in the social and eco-

*Criminal statistics show the great majority of persons convicted of crime have an eighth grade education or less. The high school graduate is rarely found in a prison or reformatory. The college graduate more rarely still. This is true in our own State.

nomic life of modern society provides the background and causes for much of the anti-social behavior of delinquents and criminals. The Report says:—*

> "Human conduct, normal or abnormal, is socially conditioned. The one fact that emerges clearly from our studies of this problem (causes of crime) is that **the major responsibility for crime is a social, as distinguished from an individual, responsibility.**

In a report to the New York Legislature on Education, it is said:—

> "There is evidence that certain conditions have direct relationship with delinquency and crime. School retardation and crime are highly correlated. Slum areas produce far more than their proportionate quota of criminals and delinquents. Poor or broken homes; unwise or unjust discipline by parents and teachers; frustration of desires and failure in school and society; lack of adequate satisfactions; poverty; lack of recreational, educational, religious, and vocational opportunities; association with criminals; bad motion pictures; alcohol; the easy acquisition of fire arms;—all these and many other social and economic conditions have been contributing factors to crime and delinquency..."

Speaking before a conference called by Governor Lehman at Albany in 1935, Austin H. MacCormick, Executive Director of The Osborne Association, Inc., said:—**

> "A second fairly constant factor appears in the picture of the criminal as we know him in custody. He comes predominantly from under-privileged groups; from those people who live on the economic fringe; from the unskilled and poorly educated laboring group; from the poorer parts of town, no matter what town or how big the town may be; from the families whose homes are crowded, unattractive, and poverty-stricken; from the street corners, poolrooms, dance-halls, and gin mills; from those social and economic conditions

*National Commission on Law Enforcement and Observance. George W. Wickersham, Director. Volume I, "Report on the Causes of Crime."

**State of New York, "Proceedings of the Governor's Conference on Crime, the Criminal and Society," Sept. 30 to Oct. 3, 1935, Albany, N. Y.

which would make criminals of you and me, unless, by the grace of God, there was something within us strong enough to combat the constant downward pull. Poverty may not breed criminals, but the things bred by poverty breed them.''

There are cited below* two important authorities on the effect of economic conditions on crime.

Such are the more important facts. We cannot plan either the ''immediate'' or ''future'' needs of Rhode Island's correctional institutions—the Prison, the Reformatory, Sockanosset and Oaklawn Schools—apart from such facts.

Is it any wonder that prominent industrialists, like Walter S. Gifford, John D. Rockefeller, 3rd, and other prominent business men and tax-payers, are at present taking a great interest in the solution of this problem?

The State of Rhode Island spends annually something like two million dollars on State and Local Police, Criminal Justice, Local Jails, State Correctional Institutions and on Probation and Parole. I bespeak most earnestly the interest of Rhode Island's leading businessmen and tax-payers. I recommend to them that they confer with Mr. Gifford and Mr. Rockefeller, who surely are not ''sentimentalists'' or academicians, or unrealistic. For these businessmen have reached certain conclusions, and have a program.

So, I recommend to the Attorney General of our State and to the Justices of our courts that they read the recent Report of the Senior Circuit Judges of the Federal Courts, a ''**Report to the Judicial Conference of the Committee on Punishment of Crime**'' (Washington, D. C. 1942).

I recommend to the members of the Rhode Island Bar that they confer with the President of The American Law Institute and the President of The American Bar Association.

I recommend this because what follows represents the general consensus of the conclusions reached by all of the above groups, after several years of intensive study.

*Bouger, W. A. ,''Criminality and Economic Conditions,'' translated by Henry P. Horton, Boston, Little Brown.

Taft, Donald R., ''Criminology,'' MacMillan Company, New York, 1942. Chapter 8, ''Crime and Economic Conditions.''

2. Conclusions

Legislative Committees, Federal Judges, Attorney Generals of the United States, technical, scientific and research organizations, working pragmatically in the sciences of Criminology and Penology, all have reached the same general conclusions. These may be summarized briefly as follows:—

1. The concept of "**punishment to suit crime**" has to be changed to "**treatment to suit the offender.**"

2. A proper system of Treatment, looking to rehabilitation, demands an "**Integration**" of various functions: viz., (a) sentencing after conviction; (b) diagnosis, as a basis of "**classification**"and "treatment"; (c) "classification" of "offenders" on a basis of sound "diagnosis"; (d) diversification of institutions, ranging from those of **maximum** to those of **minimum** security; (e) individualized training and treatment as distinguished from the prevailing "mass custody." The institutional program should involve every form of training and treatment that may remove handicaps and disabilities, physical and mental, increase desirable and useful knowledge and skills, correct individual and social maladjustments, change undesirable attitudes, and, in general, prepare the person for a free life; (f) the term of sentence to be "indeterminate," the date of release, long or short, to be determined by the fitness of the individual to return to society; (g) the decision as to his "**release**" should be determined by a group of experts who have been responsible for the individual's treatment and training; (h) in most cases the convicted offender should serve a period in free society on parole after imprisonment, and his final "release" shall be dependent on the decision of the experts in charge of him from the date of his conviction; (i) it follows from the above that the probation and parole system should also be "**integrated**" with the correctional process; (j) during the time a man is in prison, especially if he is a youthful offender, consideration should be given to his home environment. For example, if the father is a drunkard or the mother a prostitute or feeble-minded, provision on release should be made for him to live in some other home. Even in case of a poor family living in a slum district, constructive social case work might get the family into better surroundings before the prisoner is paroled.

Finally, such an integrated program requires the establishment of one over-all ''Authority,'' responsible for the man or boy from the date of arrest to date of final release.

3. The Constructive Program

We have set forth briefly the ''Facts'' and the ''Conclusions'' reached by specialists in this field. We find a crying need for an ''**Integrated Program,**'' under one Authority, which would make application of the scientific methodology so well established in the General Hospital and in the modern Hospital for Mental Diseases.

Such a program is now pending before Congress, embraced in two bills: H. R. 2140, ''A Bill to Provide a Correctional System for Adult and Youth Offenders Convicted in Courts of the United States''; H. R. 2139, ''A Bill to Provide Improvement in the Administration of Parole.''

Briefly summarized, H. R. 2140 provides for the establishment of a federal Board of Corrections, appointed by the Attorney General and comprised of a chairman and nine members. Members designated by the chairman will serve in three major divisions, the Division of Adult Corrections, the Youth Authority Division, and the Policy Division.

"1. The Division on Adult Corrections.--If the court determines that an offender shall receive a sentence of more than 1 year, it will impose an original sentence for the maximum period provided by law. Within 6 months, after the Division has had an opportunity to study the case and has interviewed the offender, a defintie sentence will be recommended to the court by the Board. The court may accept or reject the sentence recommended, but, if the court fails to act upon the recommendation within 2 months, the sentence recommended by the Board becomes the definite sentence. The Division, after sentence has been fixed, may parole the offender at the expiration of one-third of the definite sentence. The powers now vested in the United States Board of Parole become vested in the Board of Corrections.

"2. The Youth Authority Division.--Youths under 24 years of age may be committed to the Authority. When commit-

ted, the youth is originally sent to a classification center. After study of the case, the Authority may permit the youth to remain at liberty under supervision, or direct his transfer to an instituituon or agency for treatment. The Authority may release a youth conditionally under supervision at any time and may discharge him unconditionally 1 year after he is conditionally released.

"All youth offenders must be released conditionally within 4 years after the date of conviction, and must be discharged unconditionally within 6 years after the date of conviction. The Authority may modify or revoke the conditions of release.

"3. The Policy Division.—This Division, comprised of one member of each of the Divisions outlined above and the Director of the Bureau of Prisons, will consider problems of treatment and correction, and establish general policies in these areas.

"The bill further provides for the appointment by the Attorney General of a chief parole officer to administer the parole system and the supervision of youthful offenders.

"H. R. 2139, the companion proposal, provides that all offenders upon whom definite sentences of more than 1 year have been imposed shall upon release be subject to the provisions relating to the parole of United States prisoners for a minimum period of 2 years."*

*See "Hearings before Subcommittee No. 3 of the Committee on the Judiciary, House of Representatives." Seventy-Eighth Congress. May 18 and 19 and June 10, 1943.

The Proposed Federal Program

The following statements are taken from testimony given in May and June of 1943 with respect to H.R. 2140, the bill pending in Congress providing for a Correctional System, and H .R. 2139, a bill for improvement in the administration of parole:*

Statement of Honorable Orie L. Phillips, Senior Circuit Judge:

"The bill under consideration, H. R. 2140, provides for a coordinated and integrated correctional system with desirable flexibility, embracing the sentencing of the offender, probation under supervision or institutional confinement and treatment, conditional release under supervision, and final discharge.

"It is designed primarily, as every correctional system should be, for the protection of the public. But it provides for a system under which offenders can be classified and segregated and those susceptible of rehabilitation subjected to correctional treatment calculated to attain that objective. It thus departs from the merely punitive method of dealing with criminals and looks primarily at the objective idea of rehabilitation and the prevention of recidivism. . . "

Statement of Honorable Francis Biddle, Attorney General of the United States:

"We now recognize that the equality which justice enjoins must comprehend a wide variation in the treatment of persons who violate the same statute, depending on both the circumstances of the crime and the background and potentialities of the criminal.

"What we seek, therefore, is not an oversimplified equivalence of treatment, whether it be measured in terms of the offense or the offender, but rather an underlying consistency in the evaluation of the multiple factors which have a bearing on the issue of sentencing and on the values sought to be served in fixing sentences in dif-

*Hearings before Subcommittee No. 3 of the Committee on the Judiciary, House of Representatives, Seventy-Eighth Congress, First Session on H. R. 2139, "A Bill to Provide Improvement in the Adminstration of Parole" and H. R. 2140, "A Bill to Provide a Correctional System for Adult and Youth Offenders Convicted in Courts of the United States," May 18 and 19 & June 10, 1943.

ferent cases. It is equality in these terms which the present bill will further.

"In addition to providing a mechanism for furnishing the judges with information which will enable them to fulfill their responsibility in imposing sentence on a more satisfactory basis, the bill will serve the desirable purpose of providing a closer integration between the determination of sentence in the first instance and the release procedures subsequently employed.

"The Board of Parole now comes into the picture only when the period of eligibility for release on parole arrives. The Board of Corrections, to which the functions of the Parole Board are transferred, will take cognizance of its cases at the beginning for the recommendation of sentence. By the time consideration of release becomes appropriate, the ground work will already have been laid.

"No less important than the proposal with respect to adult offenders is that portion of the bill which would extend the treatment methods available to the trial judge to the case of offenders under 24 years of age. Based in large measure upon the study and recommendations of The American Law Institute, the bill authorizes the judge to sentence the youth to the custody of a division of the proposed board for special treatment and supervision. The court is not required to follow this course. As in the case of adult offenders, sentence may be suspended or the defendent may be placed on probation, or, indeed, the court may sentence the youth as it would an adult under the first title of the bill. The special treatment authorized is merely an additional possibility to be employed in cases where the youth will benefit from the type of special treatment and supervision contemplated for his rehabilitation.

"The upper age of 24 years for the jurisdiction of the Youth Authority is based upon a long record of experience and treatment. Physiologists and psychiatrists are of the opinion that this age represents final arrival at physical, intellectual, and emotional maturity. England has long since adopted a specialized form of treatment for youthful offenders in the form of the Borstal system.

"It consists of a method of closely integrated and individualized institutional rehabilitation and after-care of youthful offenders in

this age group. Twenty-one was the originally set age as the upper limit for Borstal care, but after considerable experience with the system this was raised to 23. Its success is well known. The present proposals build upon that experience.

"While the youth offender provisions will work the largest change in the present procedure in dealing with youths above juvenile court age, it may be expected that the establishment of the Board and the Authority will operate to strengthen the facilities of the Federal Government in dealing with juvenile offenders within the age covered by the present Juvenile Delinquency Act. The problem of youthful delinquency has never been more sharply before us than it is at the present time. The unmistakable increase in juvenile crime poses a problem of long-range dimensions. Anything that can be done to strengthen the hand of the courts and the Government in meeting the problem is entitled to warm support.

"The proposed Federal Corrections Act represents an eminently reasonable approach to some of the abiding problems involved in the administration of the Federal criminal law. The bill may be susceptible of improvement in matters of detail, but its basic principles and essential approach seem to me to be unquestionably sound. I hope that the bill will gain the approval of Congress, and I heartily recommend its enactment."

Statement of George Wharton Pepper, President of The American Law Institute:

"It is reported that the majority of those who are habitual criminals received their impulse in that direction during the dangerous years from 16 to 21. As has been said to you, some 50 percent of the automobile thefts in the pre-war period is attributable to the activity of this youth group; something like 33 percent of the burglaries and other crimes of adventure involving theft is attributable to this youth group, and when you reflect that the youth group is the reservoir from which there is drawn the supply of habitual criminals, we realize that under our system what we are really doing is recruiting from the ranks of youth the sins of age, and the thing resolves itself into a vicious circle. It is crime. It is arrest. It is trial. It is conviction. It is punishment. It is imprisonment. It is release. It is crime. It is

arrest. It is conviction. It is punishment. It is release, and so on, in a vicious circle, which in some cases, gentlemen, has reached such a proportion as this, that in every major prison in this country you will find a very large percentage of criminals who have served time five times previously.

"There are cases in which the number of previous convictions rises far above that, and you are compelled to realize that something must be done about this thing, or else we are going to win a war on foreign fronts and we are going to lose the battle with crime in the country for which the boys are fighting.

"I do not want you to think I am thinking as an emotional starry-eyed reformer. It happens that this particular matter of the care of prisoners and their rehabilitation has been a lifelong interest of mine. I have been an unofficial visitor at the Eastern Penitentiary at Philadelphia for years and years and am now. I have had a good many friends among the inmates of that institution whom I have contacted there and with whom I have established friendly relations. I have a colored man there now serving a life sentence upon whom I am trying to bring to bear whatever influence of personality and friendship I may have in an effort to rehabilitate him.

"I am not at all in the group of those who think that prisoners ought to be mollycoddled, that we ought to be emotional and impulsive for their release. I believe, however, that we must face the hard fact that you cannot intelligently treat all people alike merely because of the crime which they have committed, without reference to age, to background, to physical condition, to the environment from which they come, and the possibilities of rehabilitation. Those things must be taken into consideration, and they cannot be taken into consideration by the average judge working under the average conditions of a district court. You know how little penalty or punishment operates as a deterrent for crime. You have heard of the classical instance, extreme it may be, but still historic, that up to a certain date in the nineteenth century the penalty for pickpocketing in England was death, hanging, and reforms urged upon Parliament failed to bring about a change until it was discovered that the public had to be protected against having their pockets picked when they went to witness the execution of the pickpocket on the scaffold.

"You cannot deter people from crime by heavy devices of punishment, and we believe that the only intelligent approach is the approach through the method which this bill outlines and for which it makes provision in the case of the authority."

George Maurice Morris, President of The American Bar Association, filed with the Congressional Committee the following Resolution:—

"Resolution Approved by the House of Delegates of the American Bar Association, April 27, 1942, Detroit, Mich.

"For the section of criminal law and procedure, Chairman James J. Robinson offered the following resolutuon:

"Whereas the section of criminal law, and particularly its committee on sentencing, probation, prisons and parole, has made a careful study of the Report to the Judicial Conference of Senior Circuit Judges of the United States by the conference committee on punishment for crime, and has concluded that the recommendations of the conference committee 'represent a tremendous step forward in the methods of sentencing and of correctional treatment and that these recommendations should be vigorously supported by the American Bar Association'; and–

"Whereas these recommendations should be promptly put into effect, especially for dealing with the difficult problems of criminal law administration which will arise following the present war: Be it **Resolved,** That the American Bar Association express its appreciation to the Judicial Conference and particularly to the members of the conference committee on punishment for crime for the excellent report and supporting studies which the committee has prepared; and be it further **Resolved,** That the association authorize its section of criminal law to cooperate in securing prompt action by the Congress on the draft bills proposed by the committee appointed by the Conference of Senior Circuit Judges of the United States.

"Chairman Robinson referred to the general endorsement which the plan has received, including the statement by Judge Orie L. Phillips that it is 'sound in respect.' The motion to adopt was carried by the House."

Statement of William Draper Lewis, Director of The American Law Institute:

"Once the court has committed an offender to the Youth Authority, with no minimum term and a maximum of 6 years, continuous control over the offender until final discharge is lodged in the Authority. This represents an immense forward step over the present system of splitting control among three mutually isolated agencies--the sentencing court, the Bureau of Prisons, and the Parole Board. Unification of authority is the only sure way to prevent one procedure in the process of treatment from defeating what another has done. All procedures are intimately related; one follows and is affected by another.

"The essential procedures fall into three major catagories:

1. Diagnosis and classification.
2. Training and readjustment.
3. Reestablishment in the community.

"Treatment procedures that are based on scientific knowledge of human behavior must begin with diagnosis. What factor or combination of factors--physical, psychological, or enviornmental--led the youth into anti-social behavior? What are his aptitudes and capacities? A study of the boy's body, mind, home background, and life history is the essential first step. It is a task for not one but a group of specialists and to insure it the bill provides that the youth offenders shall be sent first to classification centers.

"The ultimate pooling of information by the specialists who study the offender will reveal the treatment to which he is most likely to respond. We know from experience that only a minority of offenders require the penning in a fortress-type prison which is the traditional mode of handling committed men. Only the dangerously anti-social, those whose criminality has become a deep-seated habit, and, perhaps, the habitual runaway, need confinement under close custody. And for these the aim should be to use all types of thereapy to fit them for graduation progressively into less secure units where they can be made increasingly responsible for themselves and able to meet the strain of living in the community.

"For the majority of reclaimable offenders, particularly the youth group, close comfinenent—often with all types and ages of human derelicts—regimentation, and partial or complete idleness do not

add up to the prescription required to fit any human being to live successfully in society. Yet that is just the prescription we write for the vast majority of offenders we commit to jails, reformatories, or penitentiaries. Have we not had enough of this fatuous destruction of character and waste of public funds? Here is the big need and the big opportunity in the correctional field.

"I should point out that the Federal Bureau of Prisons under the extremely able leadership of Mr. Bennett already leads the way in this country in showing what can be done in segregating offenders by age and type and in the diversification of treatment facilities. The 30 units now operated by the Federal Bureau range down from the fortress rock at Alcatraz to the road camp in the Idaho Rockies and the maintenance camps on Army reservations.

"We know that personnel of high quality directing a constructive program can hold most youthful offenders more surely than guns. The Los Angeles County forestry camps for delinquents and felons, 16 to 20 years old, established in 1932—and in part the C. C. C. camps—provide the models and prove the practicability of such camps.

"I do not intend, of course, to suggest that all youthful offenders who are classed as reclaimable should automatically be placed in camps or on farms. For some, training in a trade or special skill may be indicated. However, I am inclined to believe that the working camp or farm is the most promising substitute for the demoralizing jail to which most Federal offenders now sentenced for one year or less are committed. In this connection I want to add a special endorsement to the provision in section 1 of title IV.

"Obviously, the goal and purpose of all precedures in such a correctional system as we are considering is to get the individual back on his own feet in the community. That is why the Youth Authority is given the power to release an offender under supervision as soon as his behavior and frame of mind indicate that he will probably make a successful adjustment in the community. The people best able to judge that that time has come are the people who work with him constantly. Here we see again the importance of tying in the whole process of diagnosis, training, and parole under one agency.

"Successful replacement in the community for an offender usually means a job, friends, and favorable environment. In no step in

the correctional process have the system and the public failed so grievously. Let me cite a case that came to my attention in Illinois. A young fellow in his twenties released from Pontiac Reformatory had been helped to get a job driving a truck for a small factory in Chigaco. He had worked for several months making cross-State hauls. He sometimes had to collect sums running into several hundred dollars from the consignees. He had always turned in his collections and there had been no difficulties. "Eventually, on a day that he was making a delivery to Milwaukee and was to collect something over $200, some troublemaker informed his employer that he had done time at Pontiac and was an 'ex-con.' The employer immediately telephoned the Milwaukee consignee telling him to take delivery but not to pay the driver 'because he was an 'ex-con' from Pontiac.' What right has society to expect a man to respect its laws after such a foul blow? Unfortunately the story is not untypical of public attitude toward the discharged prisoner.

"It is the intent of the Federal act to provide competent paid parole supervision and also to enlist responsible and healthy-minded citizens who will serve as 'first-friends' or parole advisors, without fanfare and without cost but with good will and human kindness.

"Such is the rounded and intergrated system for dealing with youthful offenders that this bill would set up. It illustrates what is meant by individual treatment. I think it would increase the proportion of young Federal offenders who are turned from careers of crime. Of even greater value to our society, I think, such a Federal system would demonstrate to the States ways of doing a better job in human salvage—a demonstration that is urgently needed. I strongly urge the adoption of this bill in its entirety."

APPENDIX III

Nature and Character of an Integrated Program

(A) Statement of Austin H. MacCormick, Executive Director of The Osborne Association, Inc.*

"Among the tenets now generally accepted as fundamental are the following: that, whatever may be true of criminals in general, prisoners come predominantly from the lower economic and social strata of society; that they do not differ greatly from free persons on those levels of society; that they present marked individual differences and cannot be treated effectively on a mass basis; that the ultimate aim of the institutional and parole system, to cause the offender to become a law-abiding citizen, can best be accomplished by training and treatment on an individualized basis; that the institution's first task is to learn everthing possible about each prisoner, and to assemble the essential data in usable form; that a program should then be planned for each prisoner on the basis of the full data in his case and his probable future; that the program should involve every form of training and treatment that may remove handicaps and disabilities, increase desirable and useful knowledge and skills, correct individual and social maladjustments, change undesirable attitudes, and in general prepare the prisoner for free life; that the length of stay in the institution should depend primarily, within reasonable limits, on the fitness of the prisoner for release; that release from an institution, in most cases, should be followed by a period under the type of supervision and control that a good parole system provides; and that the success of the released prisoner in free life depends not only on his own attitude and effort but also on the degree to which society gives him the opportunity and the encouragement necessary to success.

"It is generally agreed among progressive penologists that the essentials of a well-rounded correctional program in an institution for adult offenders, the aim of which is to bring about the rehabilitation of the prisoner through an individualized program of training and treatment, include the following: Scientific classification

*"Handbook of American Prisons and Reformatories," 5th Edition, Volume II, The Osborne Association, Inc., pp. XIV., XV.

and assignment on the basis of complete case histories, examinations, tests, and studies of the individual prisoners; adequate medical service, having corrective treatment as its aim, and making full use of psychiatry; psychological services, properly related to the problems of education, work assignment, discipline, and so forth; employment at tasks comparable in variety, type, and pace to the work of the world outside, and especially tasks with vocational training value; education planned in accordance with the indivdual's needs and interests, with heavy emphasis on vocational training; library services, designed to provide wholesome recreation and indirect education; directed recreation, both indoors and outdoors, so organized as to promote mental and physical health; a religious program so conducted as to affect the spiritual life of the individual as well as that of the whole group; discipline that aims at the development of self-control and preparation for free life, not merely at conformity to institutional rules; adequate buildings and equipment for the varied program and activities of the institution; and, above all, adequate and competent personnel, carefully selected, well trained, and serving under such conditions as to promote a high degree of morale and efficiency.

"No individual institution or prison system in the United States has been able as yet to establish such a program in its entirety, especially in the all-important essential of trained personnel. In several federal and state institutions most of the program outlined above has been put in operation, but even in those where it has been possible to keep the population down to a reasonable limit, and where constructive efforts are not defeated by the twin evils of over-crowding and idleness, the officials would be slow to claim that they had achieved the elusive goal of individualized treatment. Experienced workers in the correctional field know that there is something inherent in institutions that tends to defeat their purpose. The measurable progress which can be made by superior personnel operating a well-rounded program in an adequate plant is always retarded and impaired in some degree by the intangible effects on the prisoners of what is called institutionalization, effects which are felt increasingly in instutitions operating on a mass treatment basis.

"In the effort to reduce the bad effects and increase the beneficial effects of institutional life, the present trend in American prison systems is toward diversification of institutions; the development

of institutional systems composed of a number of comparatively small units, with various types of programs and varying degrees of security, each unit being designed to care for a certain general type of prisoner and staffed with that end in view. It is recognized that there is more likelihood of discovering what training and treatment an individual prisoner needs, and accomplishing it, in a diversified system of this type, with an adequate classification program in operation, than in a system consisting of two or three oversized prisons and adult reformatories of the traditional type, each with a population so heterogeneous that even a superior staff finds itself inevitably engaged for the most part in mass treatment.''

APPENDIX III

Excerpt from paper—
Crime, its Prevention and Correction

(B) Program for a State Agency

BY
JOHN R. ELLINGSTON

Adviser, Criminal Justice—Youth
American Law Institute

Periodically the United States wakes up to the magnitude of its problems of delinquency and crime. The emotional shock usually results in new legislation. Depending on the mood of the moment, this may call for harsher treatment of offenders, like New York's Baumes Laws, or for more constructive treatment, like a parole law. Whatever is done is usually considered to have removed all cause for further concern and the subject is forgotten until events again force us to realize that we are no further along toward solving the fundamental problem than we were before.

In terms of percentages of the population imprisoned and of the annual cost for their care, the situation in the Nation has grown steadily worse since the last war. In 1920, the penitentiaries of Illinois had 560 prisoners per million of the State's population; by 1939 the number had risen to 1,480 per million. In New York, the number jumped from 644 prisoners per million of population in 1920 to 1,350 per million in 1940. Over the same period New York's annual expenditures for its State prisoners increased by 341 per cent. This trend, grave enough in itself, gives cause for real alarm in view of what may face us after this war. Many serious students of social history and penology anticipate that the economic maladjustments and emotional reactions which will follow the peace will bring on the gravest crime problem in our history. Whatever happens, we must take steps that will bring our chaotic and sometimes barbaric penal procedures more in line with the standards of democratic civilization.

The duty of providing intelligent direction falls logically on the State. The purpose of this statement is, therefore, to summarize certain fundamental aspects of the problems of delinquency and crime and their prevention and correction, in order to identify the goals towards which the responsible State agency should aim and to indicate the most promising roads to those goals.

Part I--Bird's-eye view of the whole problem

A. **Concerning Causes of Delinquency and Crime.** There is much that we do not know about crime causation. We do not know, for instance, why the majority of young people in a slum neighborhood avoid serious anti-social conduct, even though many of their companions become delinquent and criminal. We cannot say why, of two brothers in a broken home, one becomes a valuable citizen and the other a criminal. Evidently, the interaction between the individual and exterior forces is exceedingly complex.

But admitting our large area of ignorance, we do have much very positive and useful knowledge. We know that the number of those whose anti-social behavior can be attributed directly to mental defects, paychopathic personality, or psychosis constitute a small percentage of all delinquents and criminals. Most delinquency and crime is not due to organic disease; it does not result from pathological conditions in the individual. On the contrary, we know that external factors in the home and in the community play a major part in determining whether a suscpetible individual's behavior shall be socially desirable or undesirable. We know that the majority of children and youths who commit crimes when subjected to one set of social conditions and group ideas and ideals would be law abiding under other conditions and ideals. That is vital knowledge for it places the major responsibility for delinquency and crime squarely on the community.

B. **The Community's Responsibility.** Measures to counteract delinquency and crime must fall into two major categories: (1) Prevention; and (2) Correction, so that those who have offended are restored to good citizenship and do not go on to become habitual criminals.

Prevention must always be the major job. Major social factors, such as the organization and condition of the Nation's economy or society's standards of business honesty, help to make prevention easier or more difficult. However, regardless of the national climate, each community can create a local climate favorable to the prevention of delinquency and crime. To that end every community should be encouraged and aided to take these five major steps:

1. Revitalize neighborhood life and morale. The nieghborhood is the indispensable link between the family, with its individual members, and society as a whole. It provides the arena in which most of us grow, learn, work, play, and worship, in which we obtain the indispensable satisfaction of our social instincts and acquire our habits, faith, and values. The rapid growth of our cities and the high degree of mobility of our population have weakened or destroyed neighborhood consciousness and deprived many individuals of the strength and guidance that they can get only by being part of a living social group. For every reason of social health we must revitalize the neighborhood everywhere.

The Chicago Area Projects have shown how this can be done. In some of Chicago's worst slum areas, the citizens have organized themselves to work first for better schools, teachers, truant officers and better facilities to keep children and adolescents wholesomely occupied in nonschool hours. Out of this primary group activity have come mutual knowledge and confidence that in turn lead to other neighborhood activities and to the establishment of that neighborhood morale which probably constitutes the most decisive factor in determining individual behavior. The development of neighborhood consciousness is a slow and difficult process but there is no short cut to social health.

2. Furnish healthier leisure-time outlets for youth under creative leadership.

3. Eliminate the community sore spots that encourage delinquency and crime.

4. Identify in the early grades of the elementary schools potentially delinquent children. Where there is no child guidance clinic, perhaps the best way is to have at least one teacher trained as a child psychologist in every grade school.

5. Follow indentification of the problem child with a corrective program in which public and private social agencies cooperate, affecting the child, the home, the school, or the community, whichever appears to be the determining factor in bringing on delinquency.

So much for the community's preventive program. Once an individual has become delinquent or criminal, primary responsibility for correction also rests with the community. Detection, arrest, detention, trial, conviction, and even treatment must for the great majority of offenders take place socially. This is true no matter what the age of the offender. There is vast room for improvement in every one of the agencies responsible for these various steps—police, jails, prosecutors, courts (including those for juveniles), probation departments, and local readjustment facilities. Nothing could do so much to raise the quality of these services as an aggressive community orgainization of citizens.

For reasons of economy and efficiency, the State should take charge of most, if not all, offenders requiring custody or discipline. However, as soon as the State releases any of these, the task of readmitting them to the community life and surrounding them with conditions that will help them to live acceptably must be shouldered in the main by the community. In this task private citizens must participate.

Thus we see that, even though the State can most effectively perform certain functions of correction, major responsibility for both prevention and correction falls on the local community and neighborhood.

C. **The State's Responsibility.** Naturally, the immediate task of a State agency in charge of correction is to protect society and do the best possible rehabilitative job on offenders committed to it. But to do these things the State agency must work closely with the community from the time of commitment of an offender through to his final discharge. And, in the long run, the State agency can do nothing more useful than to help each community to do its own job. The agency should serve as the State GHQ for prevention and correction. Its major duties can be listed under four headings:

1. Stimulate and aid local preventive action as outlined above.

2. Set standards for personnel, facilities, and procedures for local corrective action. This would include such activities as inspection of places of temporary detention and setting standards for police officers and their training.

3. Cooperate with the courts in every possible way to aid in the selection of those convicted offenders who need to be committed to the State for treatment. This means particularly pre-sentence investigation.

4. Take charge of all convicted offenders requiring any type of institutional training or segregation from society, including those now committed to local jails. (See footnote) This is the field of immediate action and is elaborated in the remainder of this article.

Part II--Correctional program for a State Agency

As to how to handle convicted offenders to insure the maximum protection of society, no one knows all the answers. But in this matter, also, we have much knowledge that we neglect to use. First, we know that punishment fails adequately to protect society. It does not effectively deter prospective offenders because it relies solely on the fear motive and fear is often cancelled by many other factors—such as confidence that the offender won't be caught, passion, insensibility, beliefs, loyalties. The individual who can be deterred by fear of punishment, the disgrace of arrest, trial, and conviction will be just as effective as the whipping post. Neither does punishment prevent the man who has offended from committing new offenses. That is the only conclusion we can draw from the fact that over 50 per cent of the country's prison population are repeaters.

If prevention fails, we know that the effective way to protect society from the recidivists or habitual criminals, who commit so large a share of all crimes, is by correction of the majority,

Note: There should be no interference with the complete freedom of the juvenile court to work out any constructive solution for a juvenile delinquent: probation to his parents, to any other person; placement in a boarding or foster home or a in school or camp; use of any medical or psychiatric resources. However, all reform schools or training schools involving custody and discipline should be administered by the State and juveniles requiring such handling should be committed to a State agency by the juvenile courts.

who can be corrected, and segregation of the minority who because of mental abnormalities remain dangerous to society. The points of attack in correction are the personal factors and patricularly the individual's set of ideals or beliefs that encourage or permit anti-social behavior. At the same time we must seek to create external conditions in which it is easier for the offender to go straight.

Effective correction has to take place within the individual, but it can be vastly helped or hindered by the treatment the individual receives. It demands that we treat each offender as an individual and as a human being, with the same basic needs and responses we have ourselves. We talk much of individual treatment of offenders but it is often merely the study of a specimen and the type of personnel developed in the era when our sole purpose was punishment.

A. **Continuity of Treatment.** So far we have discussed the spirit or principle that should inspire a State agency in charge of correction. Now, as to procedures and powers. To put into effect this principle of corrective treatment of the individual, the State agency needs to have complete control of the committed offender from the time of conviction through to final discharge. So long as one independent authority fixes the sentence, other independent authorities run the correctional institutions, a third independent authority grants parole, and a fourth supervises parole, the changing needs of the individual will get about as much attention as though he were a shuttlecock.

Continuous control of the offender by one authority means, first, some form of **indeterminate sentence.** The criminal court should probably have the power to choose between suspending sentence, imposing a fine, granting probation, or committing to the State agency for an indeterminate sentence. If the court grants probation, supervision should be by a probation officer appointed either by the State agency or by the court from a list of civil-service eligibles submitted by the State agency. Probation officers should be required to meet high standards and should have a definite tie-up with the State agency. They can perform an invaluable function by serving as liaison officer between the courts and the State agency. They should make the pre-sentence

investigation and so aid the court in identifying offenders who need to be committed to the State. Their relationship to the State agency would permit them to mobilize the varied diagnostic and other facilities of the State as a court needed them for any particular offender.

Secondly, continuous control of the offender requires **integration of procedures and facilities.** The procedures fall into three major categories:

1. Diagnosis and classification
2. Training and readjustment
3. Reestablishment in the community

These procedures are intimately interrelated; one follows and determines another. They should all be subordinate to the needs of the individual and administered by a single authority.

1. **Diagnosis and Classification.** All offenders of the type now committed to State Prisons and reformatories should be sent to a central receiving institution. (See footnote) There they and their backgrounds would be subjected to the intensive study now given by our best classification committees—study by physicians, psychologists, psychiatrists, and social case workers, to diagnose the nature and causes of their social maladjustment.

This basic examination should suffice to weed out the psychopathic and psychotic and the low-grade mental defective. These should be transferred to institutions of the State hospital or colony type. A special institution or special treatment should be provided for chronic alcoholics. When these types have been eliminated, the remainder will be potentially reclaimable by less elaborate procedures. The classification committee has to determine the kind of treatment most likely to adjust them satisfactorily to society.

2. **Training and Readjustment**. We know from experience that only a minority of offenders require the penning in a maximum security institution which is now our preferred mode of treatment. Only the dangerously anti-social, those whose

Note: See page 12 for method of treatment proposed for misdemeanants and others now sentenced to jail terms.

criminality has become a deep-seated habit, and perhaps, the habitual runaway would need confinement under close custody. And for these the aim should be to use all types of therapy to fit them for graduation progressively into less secure units where they can be made increasingly responsible for themselves and able to meet the strain of living in the community.

For the majority of reclaimable offenders, particularly the youth group, close confinement (often with all types and ages of of human derelicts), regimentation, and partial or complete idleness do not add up to the prescription required to fit any human being to live successfully in society. Yet that is just the prescription we write for the vast majority of offenders we commit to to jails, reformatories, or penitentiaries. Have we not had enough of this fatuous destruction of character and waste of public funds? Here is the big need and the big opportunity in the correctional field.

Most offenders, particularly youths, who have crossed swords with society and its rules need a chance to get a healthy perspective, to build up body, mind and character, to learn how to live with others and to discipline themselves, to learn the satisfactions of regular work, and to earn a nest egg. Every State can provide all these opportunities to its reclaimable offenders and at the same time receive in return work of the greatest economic and social value that will compete with no free industry or labor. In jail, reformatory, penitentiary, and even in some industrial schools, reclaimable boys and men decay in walled-in idleness while everywhere soil needs to be rescued from erosion, forests to be preserved, streams cleared, roads built, jobs done that can give a man a significant relationship to the community and respect for himself.

The State should have a system of small working camps and farms scattered widely over the State with some adjacent to all major cities and towns. These would not be chain gangs; they would have no armed guards. Personnel of high quality directing a constructive program can hold men more securely than guns. The California forestry camps established in 1932 for offenders 16 to 20 years old (and, in part, the CCC camps) provide the model and prove the practicability and value of such camps.

It is not intended, of course, to suggest that all offenders convicted of serious crimes, who are classed as reclaimable and not requiring maximum security, should automatically be placed in camps or farms. For some, training in a trade or special skill may be indicated. The 30 highly diversified institutions and camps making up the Federal prison system suggest the wide range of possibilities.

We come now to the special problem of offenders now committed to our county and city jails. For the great majority of male misdemeanants sentenced to short terms, the camp or farm unit should take the place of the disgraceful and inexcusable jail. Of 3,078 American jails inspected by the United States Bureau of Prisons, it classed 2,211 as unfit for use. Of course, we must have local detention facilities for suspects pending and during trial, and perhaps for a few short commitments. Inspection by the State as well as every other possible means should be used to raise the quality of such facilities. Once convicted, no offender sentenced for more than a few days should be confined in a jail. No matter how slight the offense, if the offender betrays psychopathic tendencies, evidence of chronic alcohol or drug addiction or of sexual perversion, or is an habitual petty criminal, he should be committed to the State for diagnosis and placement in the indicated institution. All others should be committed to a State camp or farm, and the State agency should have complete freedom of transfer and of release within a maximum term.

If need be, each locality could pay so much **per diem** to the State for each misdemeanant accepted in a State camp instead of being supported in the local jail. It has been proved that best results for the offender and for the State are attained when the offender in a camp is paid something for his work. Since his work would be socially valuable, the State could well afford this expense. The actual out-of-pocket expenditutes for treating men in camps and farm colonies are substantially less than the present out-of-pocket expense for keeping men in idle custody in jails and prisons.

Some States have recently considered releasing on parole offenders in jails. It seems that the end aimed at would be more surely and easily achieved by the substitution for jails of work units with all the facilities of an integrated State correction agency

back of them. The agency should probably have power to release misdemeanants committed directly to a camp at any time within some such maximum as six months.

3. **Reestablishment in the Community.** The State agency should have power, consistent with sound public policy, to release an offender under supervision as soon as his behavior and frame of mind indicate that he might make a succesful adjustment in the community. The granting of parole is one step in the continuous process of correction and should be determined by the same authority that controls all other steps. The aim of all procedures from the time of commitment to the State agency is to get the individual back on his own feet in the community. To that end the parole officer should get to know the offender at the Diagnostic Center and there-after maintain contact with him, helping to work out a program to follow on his return to the community. If his former environment would endanger his readjustment, he should be helped to find a place in a new environment.

Full-time parole officers are indispensable and should be an integral part of the State agency's staff. But the parole officer cannot do the whole job. The community through its private citizens must accept a share of active responsibility for readmitting the rehabilitated individual to the rewards and satisfactions of community life. The State agency should assign a competent man in its parole unit to enlist in every community a group of responsible and healthy-minded citizens who would serve as "first friends" or parole advisors, without fanfare and without organization and without cost but with good-will and human kindness. If we can build up the type of neighborhood civic organization doing the job of prevention described in Part I, its members would surely furnish desirable recruits to the "first friends."

Part III—Conclusion

Obviously, so thoroughgoing an improvement in our penal and correctional procedures cannot be accomplished over night. It is a slow process of organization and education. It cannot be accomplished at all without a higher quality of personnel than is now generally available in our penal system. But the personnel problem can be solved, at least in peace time, as several jurisdictions

in the United States have shown, by an apprentice system coupled with in-service training, security, fair play, public respect, and opportunity for advancement. To say that "We cannot get the personnel so we cannot undertake the bold program essential to the health and protection of society" is to declare our society bankrupt. A bold far-reaching approach, catching the public imagination, is likely to attract the able eager men we need, particularly when peace comes and young men are looking for new and more satisfactory careers in human relationships.

Fortunately, the proposed principles and procedures for effective correction are not a leap in the dark. Each suggested procedure and form of organization has been tried somewhere in the United States and has proved its worth. All that is bold in the proposal is that we use most of our knowledge at one time instead of applying it in driblets.

For States with large populations, the task of reorienting existing facilities for all age groups of offenders, of developing new facilities for diagnosis, training (camps, etc.), and parole, and of assembling the high quality personnel required is so large that it might well be undertaken initially for only the youth group between 16 and 21 (or perhaps 24) years of age. This is the key group, the group that commits a disproportionate share of the serious crimes against property, that goes on to make up the army of habitual criminals, but also the group that could be most easily corrected. To reclaim the youth offender is to deal the most direct blow at adult crime.

In order to apply the corrective program described in these pages to the youth group, the Amercian Law Institute developed its Model Youth Correction Authority Act. California has already adapted the program for this age group and a Youth Authority is now functioning there. However, States with smaller populations might find it cheaper and wiser to adopt the program for all age groups. In either event, the Model Youth Correction Authority Act will prove useful to indicate the nature of necessary legislation.

We come now to the final and basic problem of leadership. Whether the program is launched for the youth group only or for all age groups, its administration must be in the hands of men

who combine integrity and human sympathy with commonsense, sound training, and imagination. The unavoidable platitudinous nature of that statement must not be allowed to hide its importance. Politics and incompetent political appointees have demonstrated at the expense of much human misery that they have no place in a Department of Public Welfare or of Corrections. Neither welfare heads nor personnel should be affected by a change of political administration.

APPENDIX IV

Education

The following statements on the subject of education and training in criminal institutions are taken from two Reports on this subject presented to the Legislature of the State of New York. The first is entitled "A Preliminary Report on an Educational Project at Elmira Reformatory," by a Special Commission to Investigate Prison Administration and Construction (1939). The second is from a Report presented to former Governor Lehman and the Legislature of the State of New York by the Commission for the Study of the Educational Problems of Penal Institutions for Youth (1937).

I. "Visual Education

"...A second source of value is the use of the motion and still pictures. The motion pictures, particularly, are to be selected with reference to general topics which deal with actual processes being carried on at the institution. For example, a class working in the Moulding Shop can be shown a moving picture indicating the mining of ore iron, its transportation to the smelters, the casting of ingots; further treatment for the various types of iron and steel and finally the finished products ready for sale. In this way, the inmate will get a glimpse, in addition to his shop work, of the larger picture back of the story of iron. The inmate working in the Bake Shop will have the advantage of seeing moving pictures of the growing wheat, its harvesting, methods of transportation to the mills, and finally the means by which it is distributed to the consumer. When he makes a loaf of bread in the Reformatory Bakery, he will then have a general background of the story of wheat. This idea can be carried out in practically every trade that is being taught at the Reformatory.

"**The principle involved in depicting the general background of any particular occupation is that of building up community consciousness on the part of the delinquent.** These pictures are not considered to be the necessary background for learning a trade, for many skilled workmen exist in all types of trades who have never viewed

a picture of this kind. The delinquent boy, however, has always considered himself above and apart from the community and he has lost his perspective as to his relationship to it. It is hoped that visual aids such as those just mentioned will be of some service in the readjustment of his viewpoints.

"There are other moving pictures of general value to the entire inmate population. These refer to such matters as Civil Government, Travelogues, Geography, Botany, Zoology, etc. It does not seem advisable at the present stage of the project to attempt to develop interest in highly specialized topics, such as Chemistry and Physics, since these are comparatively new ideas in the field of Motion Pictures. Funds for securing these moving pictures are still lacking, but the project in the immediate future, it is hoped, will be bolstered by this modern, up-to-date method of presenting these to the inmates. **Still pictures are particularly valuable in connection with the work of the academic classrooms.** The stills are arranged in series so that their entire presentation permits the full development of the topic under consideration. This is not possible with a single showing of a moving picture because of the rapid sequence of events. As far as possible, these still pictures will be commented upon and thought over by the individuals in the class room rather than be presented to them formally through the lectures by the teacher. In other words, here again, the individual inmate will be required to think for himself. This part of the program is being put into effect without any difficulty, since a wide range of very valuable stills is available by loan from the State Department of Education, free of charge excepting transportation."

II. **"Aims and Objectives of Education in Correctional Institutions**

"The basic and ultimate aim of the correctional institution may be stated to be 'the social and economic rehabilitation of inmates.' This is certainly the major objective of education in correctional institutions. Delinquents and criminals are socially and vocationally maladjusted. They represent a definite and special problem for adjustment. The maladjustments result from many causes, some of which operated

before incarceration and some of which are involved in confinement away from a normal social environment.

"As a result of a recommendation by the Commission, that portion of the law relating to education in prisons (section 136 of Article VI) was changed to read:

" ' 136. Prison education. The objective of prison education in its broadest sense should be the socialization of the inmates through various impressional and expressional activities, with emphasis on individual inmate needs. The objective of this program shall be the return of these inmates to society with a more wholesome attitude toward living, with a desire to conduct themselves as good citizens and with the skill and knowledge which will give them a reasonable chance to maintain themselves and their dependents through honest labor. To this end each prisoner shall be given a program of education which, on the basis of available data, seems most likely to further the process of socialization and rehabilitation.'

"Education in correctional institutions aims first, to see that as large a percentage of inmates as possible do not repeat criminal acts, and second, to enable the individual to live efficiently, and with sufficient interest so that he will adjust and contribute to the welfare of society.

"This defiines the task of correctional education: To provide a series of interesting worthwhile experiences which will lead to desirable changes in the attitudes and behavior patterns of the inmate so that he will be willng and able to live efficiently in society.

"The process involved in achieving this objective is most accurately called 'socialization.' The term is more widely used than understood. According to Park and Burgess, 'socialization sets up as the goal of social effort a world in which conflict, competition,...if they do not disappear altogether, will be so diminished that all men may live together as members of one family.'* Furthermore, it is indicated that 'socialization' is thus the process by means of

*Park, R. E., and Burgess, E. W., "Introduction to the Science of Sociology," University of Chicago Press, 1921. p. 496.

which individuals, on the basis of interests, grow together into a unity within which these interests come to realization.'

''As a goal of education in correctional institutions, socialization sets up the task of bringing offenders against society to identify themselves and their interests with those of ordinary society and to discard certain emotional and mental patterns already built up through the influence of poor contacts and environment; it also aims at the development of new sets of values and now character patterns. It equips them with the skills required for successful living in a free society.

''Socialization is a continuous process of change and development within an individual which is to render him more and more willing and able to fill an acceptable place in society and to contribute to its betterment. Apparently this process is essentially one of social interaction and the expression of desirable interests and activities.

''Ideally, and for most individuals, such development goes on more or less steadily and appears in the proper proportion from infancy to adulthood. In this development, differences between the individual and society are resolved early, and there is avoidance of too incessant conflict between the interests and desires of society and the individual. One is led to believe that in the case of the delinquent or criminal, particularly if he be a frequent offender, the process has been faulty and erratic due to insufficient assimilation of social understanding in combination with individual weaknesses. These individual weaknesses many times are emotional in character or in some manner deeply rooted in the personality make-up of individuals. Again, a criminal career may be the natural outcome of concepts formed under the stresses of an unsatisfactory economic environment. The outcome is antisocial attitudes and interests. It appears then that correctional education should be, basically, a process involving modification of attitudes, a sublimation of interests, and the development of the necessary skills for acceptable living.

''In order to accomplish the desired socialization of the inmate the educational program must have the following objectives:

"To develop a well-rounded, integrated program of activities which will enlist the sincere interest and effort of inmates, modify their attitudes and behavior patterns, and provide them with the techniques, knowledges, and understandings necessary for the maintenance of a desirable standard of self-sustaining economic and social living upon release. The attainment of this socialization and rehabilitation objective involves the following types of activities;

"1. Vocational education activities which will enable the individual to become a self-maintaining member of society.

"2. Activities leading to clearer understandings of modern social and economic problems in order to bring about revision of undesirable attitudes toward social institutions.

"3. Activities to develop acceptable proficiency in essential academic skills.

"4. Activities leading to the stimulation and development of interest and skill in worth while leisure-time activities.

"5. Activities leading to the ability to get along with people and live cooperatively as members of approved social groups.

"These objectives cannot be reached separately because they are inseparably involved with one another and must be reached through paths that cross and recross. We cannot depend upon discrete methods of training. Vocational training, religious training, academic work, physical education and the like are not necessarily social in their nature. Only as these, together with many other activities, influences and contacts in the institutions, are consciously co-ordinated and as each institutional worker has understanding of the social point of view, can the program be effective. The first basic objective involves arousing the desire to make good—the will to make correct adjustment to environment —and can be circumscribed by the two words 'atitudes' and 'interests.' The next objective involves the development of those skills which will enable the individual to make good."

APPENDIX V

Diversified Institutions

The following is an excerpt from a Report to the Legislature of the State of New York of the Joint Legislative Committee to Examine Into, Investigate and Study the Existing Facilities for the Care and Treatment of Children.*

The English System of Borstal Institutions

"This Committee was very favorably impressed with the idea of the Borstal System of institutional treatment and training of the offender sixteen to twenty-three, as it has developed in England over the past forty-five years. We were particualrly struck with the fact that the conditions confronting the English Prison Commission of 1895 paralleled the conditions which disturb us today, i.e., that the sixteen to twenty-one year old offender contributes a disporportionately high share of the serious crimes; that a very large number of youths in this age group are annually committed to penal institutions; and, finally, that a large number of these committed offenders are released from correctional institutions little improved, if at all, by their period of training. There is a further parallel that these facts were brought to the attention of the Prison Commission and the public generally through the investigation of a Committee similar to ours in scope.

"The Borstal System as it is known today—or as it functioned just prior to the outbreak of the war—was the final result of an experiment which has been continued over a period of almost half a century. The first beginnings of the system were in separate wings of the regular prisons. Successful results with this specialized treatment led, after a period of years, to the establishment of special institutions in no way connected with prisons for adults. In light of the fact that the reformatory movement which started in this country in 1876 with the establishment of Elmira has advanced but little since that date, it is interesting to note that the Borstal System has not deviated from its original aim: to keep the young offender apart from the older, more experienced prison inmate. In Elmira, the age of commitment ranges from sixteen

*"Young People in the Courts of New York State," Legislative Document (1942), No. 55,pp. 294 ff.

to thirty; most reformatories in this country receive offenders from age fifteen to thirty or thirty-five, while many so-called reformatories have no upper age limit.

"Borstal training was originally established for offenders between the ages of sixteen to twenty-one, but in recent years as a result of experiments with offenders aged twenty-one and twenty-two, the upper age limit of Borstal training was advanced two years.

"No judge may commit directly to a Borstal Institution. These institutions do not ordinarily receive first offenders; to be eligible for Borstal training the offender must have been previously convicted of crime and must, in the court's opinion, be eligible for Borstal training by reason of his 'criminal habits and tendencies or associations with persons of bad charater.' After the judge has decided upon Borstal training, but before he may commit the youth, he must invite the Prison Commissioners (who are responsible for the management and control of all Borstal and penal institutions in England and Wales) to make an investigation into the offender's suitability for Borstal training. As a result of this investigation, the Commission may or may not recommend commitment at Borstal, and the judge is, of course, not compelled to follow the recommendation. As a result of their experience with the judgement of the Prison Commission, however, the courts have come to rely on its opinion and in the very largest percentage of cases they follow its suggestions. This investigation is, of course, in addition to the pre-sentence investigation by the probation officer attached to the court.

"Not every youth who is found guilty is committed to Borstal, by any means; some are placed on probation and some are given prison sentences. Nevertheless, it is interesting to note that Borstal receives almost one-half of all the offenders between the ages of sixteen and twenty-one who are sentenced to imprisonment and that they receive 97 per cent of all those in this age group sentenced to more than twelve months imprisonment. From this it will be seen that the courts have not only come to rely to a very large extent on Borstal, but that the Borstal institutions themselves are confronted with almost the entire body of youthful commitments, including the very serious cases for whom a term of imprisonment longer than a year is ordered by the court.

"When the convicted offender is finally ready for sentence, the judge has no power to commit him directly to any one of the nine training units which comprise the system. His power of sentence is limited to "Borstal training." Beyond this point the Prison Commissioners have sole authority as to the institution or institutions in which the offender will serve his term. The minimum period of Borstal training is six months, the maximum three years. Parole extends for one year beyond the unserved portion of the maximum.

"Even with the report of the probation officer before it and its own report, the Prison Commission does not allocate the offender directly to one of the nine training instituions without a further period of study.

"Regardless of the court which commits him, the young offender is sent to London where he spends a period of not less than thirty days under observation in a special wing of the Wormwood Scrubs Prison. Here he is examined by a physicain, receives a mental test from, and has an interview with, the psychologist, is visited by the psychiatrist and is under observation by the "governor" (warden) of the allocating center, the housemaster and the matron. During this time a more intensive study of his family, social and environmental background is made by the volunteer social workers attached to the center.

"At the end of his month's period of observation, the offender is ready for allocation. The institution to which he will first be sent (he may later be transferred elsewhere) is determined by a board, composed of the governor, housemaster, and officers of the allocating center plus one or two governors of the open institutions who come in for the meeting. One member of the Prison Commission who is responsible for the Borstals serves as chairman. In their decisions, the board relies on all the studies and observations that have been made of the boy as well as their impressions of the boy who appears before them. The attitude of the board is that all of these young men will be released back into the community after a maximum period of thirty-six months of training and therefore, the selection of the training institution should be detremined by the degree of the offender's likely response to conditions of limited freedom. They have at their disposal nine institutions

ranging from maximum security to the most open type of farm colony and construction camp.

"Of these, five are walled or partially enclosed and four are entirely open. It is interesting to note that the open institutions are almost all creations of the past decade; that they have received their inspiration from the example of our own prison camps and farms. They have, however, been carried to a point far beyond anything in this country for offenders in this age group.....

"The open Borstals are four in number. They are alike in that they take those who may be expected to respond well to a varied program under conditions of absolutely minimum security. Those who are allocated to these four institutions first make a pledge not to escape. The regime at the institution is described to them before they are sent there, and those who prefer a walled institution are given their choice.

"This is the institutional setting in which the training process goes on. Several important principles are common to all of these institutions regardless of where they are situated, the type of boys selected for training there, and the particular program in which they may specialize.

(1) The first of these principles is the selection of the men who will supervise these adolescents. While the staffs are drawn from a wide variety of sources and from all kinds of previous life experiences, their entrance into the Borstal service is carefully controlled by a Civil Service procedure. Recent years have seen increased emphasis on professional social work training, but even here men with good technical training who are without a broad experience of life would not be placed in positions of responsibility as housemasters....

(2) The next most important feature of Borstal training is the arduous program with which the average youth is occupied for a full fifteen or sixteen hour day. In each of these units there is in operation a program of work, physical training, education and recreation which makes the regime of our own reformatory institutions seem very soft by comparison.....

"The days activities are numerous, varied, and so adapted to individual needs and interests as to challenge rather than depress. A full one-half of the waking hours are spent at work; main-

tenance occupies the briefest possible time of the smallest possible number of boys, except where it has definite training value.....

(3) While he is in the institution, the Borstal lad is not cut off from the world to which he is training to return. Regulations regarding visits and letters do not bind a boy who has progressed well and who has earned additional privileges. Some boys who make especially good progress may be allowed once during their term of instutional training to make a home visit, after the home has been investigated by the parole organization. Every Sunday afternoon the population of all the Borstals goes out on a ''route march'' or hike away from the institution. This applies even to the institutions of maximum security. Within the institution the Borstal youth sees the wives, children and pets of the staff; automobiles and tradespeople come and go freely; there is the general atmosphere and feeling that the institutions are not insulated stations without relationship to the world beyond their gates. Once during the summer some Borstal boys are allowed to camp out with a group of their fellows under the supervision of a housemaster. They work during the morning to repay the owner of the camp site, but afternoons and evenings are free for a wide variety of recreational activities. Boys from some of the open institutions are allowed to go without escorts or proctors into the town or village during cerain hours after work—Saturday afternoons, for example—and at least two institutions make provisions for the attendance of their boys at extension courses in the nieghboring community.

''This relationship with the community is a reciprocal one; not only do these boys have some contact with the world about them, but volunteer representatives from the community also come in to teach special skills and hobbies. At North Sea Borstal at least eight local people in the neighboring town of Boston volunteer their services in such widely assorted skills as baking, cabinet making, square dancing, painting, hiking and sailing. At still another Borstal a special room is reserved for families visiting the institution who may wish to share the institution meal with their son or brother.

(4) Over and above all is a degree of flexibility and individuality allowed the Borstal staff in their management of the insti-

tutional programs. This has attracted to the instutions a type of personnel which would not last long nor be interested in a regime which was all routine and precedent. Many suggestions regarding the development of Borstal training have grown out of annual conferences of governors and housemasters, which are also attended by the parole officers. There is thus seen to be not only a wide degree of latitude permitted in the administration of these institutions, but also an integration and inter-relationship between institution and parole which is largely unknown in our reformatory systems.''

APPENDIX VI

Youth

The following three statements on the subject of "Youth" and the importance of preventing criminal careers in the adolescent period come from eminent authorities: The Honorable Orie L. Phillips, Judge of the Circuit Court of the United States; Dr. William Healy of the Judge Baker Guidance Clinic, recognized as one of the leading authorities of the United States in the field of scientific diagnosis and guidance of youth; and James V. Bennett, Director of the United States Bureau of Prisons. This Bureau is the largest system of correctional institutions in the United States.

Statement of Judge Orie L. Phillips;*

"Reliable statistics demonstrate beyond possible doubt that the period in life between the ages of 16 and 23 is the focal source of crime. It is during that period in life that habitual criminals are spawned. Persons in that age group constitute but 13 percent of our population, yet they are responsible for 26 percent of our robberies, 40 percent of our burglaries, and 50 percent of our automobile thefts. Boys from 17 to 20 years of age inclusive are arrested for major crimes in greater numbers than persons of any other 4-year group. Nineteen-year-olds offend more frequently than persons of any other age. Eighteen-year-olds come next, and the proportion of youths less than 21 in the whole number of persons arrested is increasing at an alarming rate. This tremendous upsurge of criminality during this youth period is a startling social phenonemon and it would seem, therefore, that we must wisely direct our efforts to prevent crime upon the offenders in the age group between 16 and 23 if we are to make real progress in the solution of our crime problem.

"Sociologists and psychiatrists tell us that special causations, which occur in the period between adolescence and manhood, produce these anti-social conduct trends. They attribute it to temporary lack of balance in the organs of the body and in their functioning. These causes, they tell us, result in a feeling of restlessnesses and impatience, lack of stability and impulsiveness, and

*"Hearings before Subcommittee No. 3 of the Committee on the Judiciary, House of Representatives, on H. R. 2139 and H. R. 2140, May 18 and 19 and June 10, 1943," U. S. Government Printing Office, Washington, 1943.

confusion of ideas and emotions. With increase of physical vigor and urge to action, there is a release of feelings of aggressiveness and decrease of feelings of fear. There comes a real pleasure in adventure, in recklessness, and even in violent deed. While the inductuon of boys into criminal gangs is a well-known phenomenon in response to social pressures, it not infrequently is the response to an inner urge to reckless activity in combination with the acceptance of a boyish notion of what constitutes definite proof of virility.

"In addition to the ideas and impulses and the surcharged emotions of youth that tend to bring about antisocial conduct, social situations peculiar to the period between childhood and adult life also are a contributing factor. Most youths are released from school at about 16. Old companionships are broken and the boy finds himself more or less adrift and free to associate with casual acquaintences, or perchance with older fellows, whose behavior tendencies are unsettled. This results in groups of restive and dissatisfied youths who have a common tendency to seize upon criminality as a solution for disturbing uncertainties. One further basic cause exists. Sixteen to twenty-one is the period of greatest vocational maladjustment. The youth is of working age. Not infrequently his vocational training in school cannot be utilized in finding a job. This adds to the natural instability of that period of life, definite economic and vocational uncertainties. This tends to build up in the individual an attitude of cynicism concerning honesty and whether it pays.

"Again, reliable statistics demonstrate with reasonable certainty that existing methods of treatment of criminally inclined youths are not solving the problem. A large percentage of those released from our reformatories and penal institutions return to antiscoial conduct and ultimately become hardened and habitual criminals. Indeed, I sometimes wonder whether our penal institutions, because of their environment and the lack of segregation between classes of criminals, do not foster, rather than prevent, crime. By herding youth with maturity, the novice with the sophisticate, the impressionable with the hardened; and by subjecting the youthful offenders to the evil influence of older criminals, and their teaching of criminal techniques without the inhibitions that come from normal contacts and counteracting prophylaxis, many of our

penal institutions actively spread the infection of crime and foster, rather than check, the plague...''

Statement by Dr. William Healy of the Judge Baker Guidance Clinic:*

''The stark fact of the extent of recidivism proves that our prevailing methods of handling youthful offenders fail in great measure to protect society from ill-doers. In a large percentage of cases their careers go on for years and years with continued outbreaks of antisocial conduct.

''Our philosophy of dealing with youthful criminality lacks substantial foundations because it does not take into account the issues presented by the personality, the background life, and the developed behavior tendencies of the offender. Save in the best efforts of thoroughly competent probation and parole officers, and perhaps in very rare correctional institutions, our techniques of treatment—if we dare to call it treatment—are woefully unadapted to the task of turning a young criminal into a law-abiding citizen.

''The model Youth Correction Authority Act contemplates providing measures which look to the substitution, in the case of the youthful offender, **of scientific methods of diagnosis, treatment and prognosis for the inadequate techniques so generally prevailing today.** It is the purpose of this article to outline and appraise the proper implementation of a Youth Correction Authority—or any like body—if legislation along the lines of the Model Act were adopted....

''Exactly for the prupose of estimating in a given case the possibilities—and, indeed, also the impossibilities—of obtaining good results from various forms of training and treatment, well-rounded diagnostic case studies of the individual are requisite. This means very much more than the common routine physical examination and psychological testing.

''In the first place it is necessary to know what manner of person the young offender is; what his physical and mental status is, what he is from the standpoint of personality and character development—all in terms of both assets and liabilities. Next, the interests of society are deeply involved in the important question

*Published for the School of Law, Duke University, in ''Law and Contemporary Problems—The Correction of Youthful Offenders.''

of what the individual's needs are that can be supplied by any phases of a sensibly constructed plan of training and treatment. A fundamental consideration for the diagnostic study of youthful offenders is the common-sense fact that either there must have been abnormal urges—true in only a very small percentage of cases —or, as in the vast majority of instances, there must have been thwarting of satisfactions of quite normal needs which, had they been satisfied, would have prevented the growth of the tendency to unlawful behavior. For the diagnosis of these needs and their distortions we are often compelled to investigate etiological factors, at least as far as proximate or immediate factors of motivation of the particular offender's criminality is concerned. The individual who has adequate satisfations in other than criminal activities does not engage in criminality.

"This matter of the diagnosis of the offender's needs which have not received satifactions represent a vastly important salient in the warfare on crime. Of course this is well recognized by all practical-minded workers for the prevention of delinquency, but equally, the knowlege of specific needs which, case by case, may vary greatly, is indispensible for all well-directed treatment of the youthful criminal who is in the hands of the law. Many published studies by ourselves and others deal with the multiplicity of factors that in given cases tend to produce delinquency and crime; hence there is no call to enumerate them here. It is sufficient to say that they range from peculiarities in the physical, mental and personality make-up of the individual, or circumstances in his social and particularly his family environment, or matters of early conditioning, to deep-lying emotional reactions to his life experience.....

"Fortunately we are able to speak about a training and treatment program for offenders of the age group covered by the Youth Correction Authority Act, not from a theoretical standpoint, but rather from what we know has been in effective operation, at least until war-times, in various correctional systems. From these we can learn practical possibilities. Besides our knowledge of the camp program for offenders in California and the regime of the unusual reformatory institution at Annandale, New Jersey, we may draw upon our observations of the correctional commune system in Russia, the Danish scheme for the rehabilitation of offenders, and especially upon our prolonged studies of the Bors-

tal System in England. Aside from this we know of little that was being done in other countries applicable to the development of a more effective reformatory program in this country. In Russia and in Denmark we saw some few features of correctional treatment that in modified form we could profitably utilize. In England by the trial and error method there has been gradually evolved a highly intelligent and largely successful pattern of training and treatment for youthful offenders which in many respects we might well copy.

"**Indispensible for the success of such a system is a specially qualified personnel, including everybody, from the superintendent to the disciplinary officers and guards, who by virtue of his position necessarily influences the offenders. Herein lies the cardinal difference between the equipment of our reformatories and that of the Borstal System. With our enterprising manhood, so frequently seeking satisfying fields of endeavor, must we in the United States necessarily be so far behind ?**

"Since youthful offenders, case by case, present the diversity of requirements for upbuilding that diagnostic considerations show, the next step toward common-sense treatment must then be taken by providing a variety of training and treatment resources. Requisite in any one state is the establishment of a number of relatively small units with the several types of regime and training adapted to the differing needs of offenders. Our congregate reformatories which in so many ways offer obstructions to the individualization of treatment are hopeless for carrying out scientifically oriented systems of training. Though improvements in method may seem to imply great expenditures for new institutions, expensive buildings are far from necessary. Institutions of maximum security there must be for a certain class of cases, but part of already existing facilities could be used for this purpose. . ."

Statement of James V. Bennett, Director, U. S. Bureau of Prisons:*

"Indeterminate Control of offenders Realistic and Protective

"One of the great advantages of the Youth Correction Act is that it permits a wide variety of treatment methods. The Authority can utilize commitment to different types of correctional institutions; it can place the offender in a hospital, in a vocational training or educational institution, require him to undergo a course of treatment in a mental hygiene or other clinic, or in fact put him in any community situation it may consider helpful. It would be futile to undertake such programs as these unless they could be followed through to their logical conclusion. Why spend time and money on half-way programs or attempt to improvise a plan of treatment to fit into an arbitrary, predetermined time schedule which is bound to be too short or too long? Could there be anything more disheartening than to force an individual to continue in confinement or under supervision after the training period had been fully and satisfactorily completed? What incentives are there for the young man who knows he must serve a period of time prescribed in advance by a judge unfamiliar with his needs and responses? How can the special needs of youth be met if every effort is circumscribed by demands for punitive treatment?

"Just as the Authority must have power to release from control when the treatment period is concluded, so also must it be able to retain control of those who continue to be a menace to society. This is the feature of the Act which incites the oppostition of those who shudder at granting such power to an administrative agency. But society had always demanded that the liberty of the individual be curtailed, if necessary, to protect the well-being of the group. Those afflicted with communicable diseases which cannot be controlled by known methods are isolated. So also are those with mental disorders of the type that make the individual a menace to himself or to others. Because of the impossibility of deciding just how long the disability will last or the danger will continue to exist, such isolation, which curtails the liberty of the individual but protects society, is necessarily prescribed

*"Law and Contemporary Problems—The Correction of Youthful Offenders," School of Law, Duke University, Vol. IX, No 4, 1942. pp. 621 ff.

for an indeterminate period. It should be obvious that the same principle is equally applicable to individuals with known delinquent or criminal tendencies. It should be obvious because of the acknowledged inability of judges or anyone else to predict at the time of discovery of evidence of such tendencies just how dangerous they are, just what treatment is necessary, or just how long they will continue.

"In this respect, the provisions of the Act are similar to the commitment of mentally ill persons to state hospitals. It is very rare, indeed, that a patient is now committed who really should be at large while many are permitted to retain their liberty, without any restraint or supervision whatsoever, who should be hospitalized. Similarly the determination and measurement of pronounced and well-grounded criminal behavior, psychopathy, and other abnormal characteristics can be made by experienced persons and reviewed by the court. The court and the Authority can base their judgement on the delinquency history of the offender, on his conduct while under observation, on his attitude as reflected by periodic examination, on various kinds of psychological tests, on the opinion of those who have observed him, on the manner in which he reacts to carefully devised situations and programs to which he can be subjected, on his physical condition, on his emotional responsiveness, on the normality of his brain waves as shown by the micro-electric brain-wave machine (electro-encephalograph) now extensively used in mental hospitals, and on a variety of other facts which are subject to specific measurement. The techniques of the psychologist, the psychiatrist, and other members of institutional staffs have advanced to the point where they can quite accurately predict delinquency and the possibilities of abnormal behavior. They have definite objective standards of the kind mentioned to aid them in reaching their determinations. Moreover, the Authority can, in any case where doubt exists, release a person under its control for a period of trial in the community. Under such circumstances there is little or no danger of keeping a person in confinement who should be entitled to his liberty.

"The existing system of definite sentences cannot be defended on any ground other than obscure legalistic dialectics and by emotional reference to traditions of the law. References to Coke and Blackstone or unfounded fears that individuals on the board will be

arbitrary and unreasonable give no consideration to the indisputable fact that the existing system of definite sentences displays the utmost capriciousness and lack of understanding of the individual offender.....

"An indefinite period of control over the offender is basic to the treatment as opposed to the punitive process of redirecting the antisocial tendencies of the offender. The statistics and data on recidivism abundantly demonstrate that somehow we must get away from the purly legalistic approach and apply the knowledge and skill of the physician, the psychatrist, and the sociologist....

"No, we cannot measure a moral wrong against a physical pain. We cannot adjust the known to the unknown. We cannot curb crime or save the offender by any system of retributive punishment of proportionate retaliation. We cannot continue to talk only of laws, and judges, and prisons. **We must look behind all of these to the handicaps, the problems, the inner-drives, the insecurities, the abnormalties and the perversities of the offender himself and gauge the period of his control and treatment accordingly.**

"**The old system has failed—failed because the machinery of criminal justice is outmoded and because we have timidly limited our past attempts at improvement to the making of minor repairs. A system based upon the principles of retribution, punishment, and making the punishment fit the crime, cannot by slight changes be made to accomplish the purpose of public protection. The machinery of criminal justice must be redesigned, with basic structural changes forged around the principle of indeterminate control of offenders, if an effective program of crime control is to be finally established.**" (Italics ours.)

APPENDIX VII

MINORITY REPORT OF C. J. FRANCE DISSENTING FROM RECOMMENDATION FOR CLOSING REFORMATORY FOR MEN

December 18, 1942

His Excellency, J. Howard McGrath
Governor of Rhode Island
State House
Providence, Rhode Island

In Re: Second Partial Report of the State Commission on Public Welfare Institutions

My dear Governor:

Minority Report of Clemens J. France

At a meeting of the State Commission on Public Welfare Institutions on December 16, 1942, it was decided to present to you a second partial report. The Commission, at that time, adopted two motions:—

1. To recommend to you that the Soldiers' Home be closed with respect to its existing functions of an institution for the care of veterans of World Wars;

2. That the Men's Reformatory be closed with respect to its existing functions as a Men's Reformatory, and that the present inmates of the Men's Reformatory be transferred to what is known as the Jail Wing of the Prison, and that subsequent young offenders be committed by the courts to the Jail Wing. The primary objective of this action was to vacate the Men's Reformatory so as to establish there what is to be known as a ''Medical Center.''

I am fully in accord with, and voted for, the first motion.

With respect to the second action of the Commission, I find myself in the minority, and herewith exercise the privilege of giving my reasons for differing with my estemeed colleagues on the

Commission. It will be necessary for me to outline certain facts with respect to the policy of this State as expressed in legislative enactments regarding Youthful Offenders.

The General Assembly, in 1923, appropriated a large sum of money to build a wing to the State Prison. This appropriation was made with a view to bringing about a segregation of older offenders or criminals and young men. In the minutes of the meeting of the State Public Welfare Commission of April 8, 1925, it is recorded:—

> " 'Pursuant to Sec. 3 of Article III of Chapter 413 of the General Laws of Rhode Island, 1923, the State Public Welfare Commission in meeting assembled gives notice that the Rhode Island State Reformatory for Men is hereby established as of April 30, 1925, at twelve o'clock midnight.'
>
> "The statute so meticulously referred to reads as follows:
>
> " 'Sec. 3. The building now being erected at the southerly end of the State Prison shall be known as the Rhode Island State Reformatory for Men, and to which, on and after a certain day hereafter to be determined by the commission, may be transferred from the state workhouse and house of correction and the other institutions mentioned in this section all first term male offenders over seventeen and under thirty years of age, and such other male prisoners as the commission shall deem advisable to transfer from time to time; and to which may be thereafter committed all first term male offenders over seventeen and under thirty years of age, and such other male offenders as the courts may designate; **and the commission may transfer from the jail or the prison, or from the State reform school to the state reformatory for men, or vice versa.**' "

In 1929, a Special Commission, appointed "To Investigate the State Public Welfare Commission and All Departments Thereunder," presented to the Governor and the General Assembly a Report.

It is interesting to note that this Commission was composed of three distinguished Rhode Island citizens:—Frank H. Swan, Monsignor Peter E. Blessing, and James L. Wheaton, M. D. May I quote to you from the Report of this Commission:—

"**Prior to April 30, 1925, women were committed to the Rhode Island State Prison, where they were directly in charge of a matron, under the warden.** The time came when Rhode Island aligned itself with other progressive states and determined that its women should not be sent to a prison for men, but should be kept in an institution by themselves, and be looked after by women officials. No intelligent person in the state, conversant with conditions as they were before this change was made and as they are today under the new regime, would tolerate a return to the old order of things. But the same session of the General Assembly which took this progressive step in behalf of the state's unfortunate women **enacted legislation of the same nature for some of the state's unfortunate men. Both enactments were in accordance with the most modern views of penologists and humanitarians. Neither partook of mollycoddling. The time had come in this state when the public desired to see a real effort made to save convicted women and young men from being made into hardened criminals by prison records and prison associations.** We have already called attention earlier in this report to the gross neglect of those responsible for the failure to make of the Reformatory for Women something more than a prison for women. But what shall be said of those responsible for the flouting of the public's desire and of the General Assembly's enactment that the state shall make proper provision for all male first offenders over seventeen and under thirty years of age, and for other male offenders whose welfare demands that they be given the benefit of an institution designed and equipped to meet their needs?

"Male offenders over seventeen and under thirty years of age may indeed spend their nights in the cells of this new building; but through the day they work in the prison shirt factory, eat in the congregate dining room with prisoners of all ages and of all kinds, mingle freely with them in the yard at noon and on holidays, take their turn with all others at the common shower,—and in all particulars fare the same as the hardened criminal of all ages. So that in this one institution are gathered together promiscuously and treated indiscrimin-

ately all male offenders over seventeen years of age. When we visited the institution the warden informed us that he had three prisoners who had been there over sixty times. There were men serving life sentences for murder, men convicted of robbery, of arson, of almost every heinous crime. There were men committed on sentence by the state, by the United States, and by the cities and towns; boys committed for defacing buildings, or for throwing glass in the street, or for trespassing on the railroad, or even for non-attendance of drills in our Rhode Island National Guard,—these and others like these were receiving their initiation into criminal circles, learning at first hand the evil practices of the seasoned gangsters, and doubtless acquiring a perverted attitude toward society and the laws of the state. Worst of all, from time to time there are scores of men, old and young, detained at this institution who have never been convicted of any offense but who are simply awaiting trial or held as material witnesses.

"No witness before us attempted to justify this condition of affairs. **Members of the State Public Welfare Commission freely admitted that the law establishing a reformatory for men was completely ignored.** Several of them told of their efforts to see that the mandate was obeyed. **The warden protested that, given only the plant he has, with one dining room, one chapel, one shirt factory and one yard, it is impossible for him to segregate the first offenders, as the law contemplates. At least one witness had little patience with such a law.** It was his belief that the young prisoner had nothing to learn from the old; that there are boys at Sockanosset who can tell older men in prison things of which these older men never dreamed.

"It will be conceded by all that we should not tolerate the present condition. Either the law establishing a Reformatory for Men should be repealed or we should have a Reformatory. Warden Linscott testified from memory that **probably fifty percent** of the inmates were first offenders. The courts are continually sentencing men to the Reformatory, and yet no one pretends that there is such an institution! All freely admit that the law establishing it is a dead letter. As between

the repeal of the law and its enforcement, there can be little question by thoughtful men and women willing to take the time to investigate present conditions. **The testimony before us and the facts found by us are overwhelming in favor of the early establishment of a real Reformatory for Men.**

"We fully agree with Warden Linscott that with the jail and the prison combined as they now are, with 450 cells and 629 inmates, with the necessity of working these men in the shops and departments, an attempt to establish a real reformatory at the prison is impracticable without additional buildings. The warden was strong in his opinion that the jail should be an entirely separate building. In this opinion we concur. **Even more important is the establishment of the reformatory. Whether this end may be best attained by separating the jail from the prison, thus freeing the 198 cells in the new building which the General Assembly designated to be the Reformatory for Men, or by further addition to the present buildings, so badly needed even now, can be easily determined by survey and conference.** The expense involved need not be so large as to be a deterrent or even an excuse. **The reformatory should be established and maintained according to accepted standards."**

It is clear, from the foregoing excerpt from "Governor's Message and Report of Commission To Investigate The State Public Welfare Commission and all Departments Thereunder....Made To The General Assembly at its January Session, 1929," that the good intentions of the General Assembly, which apparently had wide public support, to create a reformatory to rehabilitate young men between the ages of eighteen and thirty came to naught. This failure was due to the impracticability of bringing about a proper segregation as between these young men and **male offenders, when both types of offenders were in the same four walls,** with common vocational training facilities, with common eating facilities, and with common recreational facilities.

In the January Session of the General Assembly of 1931, a resolution was passed and approved April 21, 1931, making appropriation for a building to be known as the State Reformatory for Men.

This resolution provided for the submission to the people of an issue of bonds in the sum of $500,000 which was voted upon and approved by the people in the November election of 1932.

It is fair to assume that the resolution of the General Assembly, and the subsequent approval by the people of this bond issue to build the new Reformatory for Men, resulted in a large part from the Report of the Commission in 1929 to the General Assembly, hereinbefore referred to, the members of which Commission were Frank H. Swan, Monsignor Peter E. Blessing, and James L. Wheaton, M. D.

It is highly significant that the people of Rhode Island voted this half million dollars to create a separate Reformatory for Men. In passing, it should be mentioned that the General Assembly, in 1931, passed an Act looking to the time when the new Reformatory was to be completed. This Act provided that all males between the ages of sixteen and thirty years, who may be detained or sentenced as first offenders under the criminal laws of this state, shall be detained in the State Reformatory for Men.

Furthermore, the 1931 Act specifically repealed Section 3, Article III of Chapter 413 of the General Laws of 1923. It will be recalled that this was the act which established the Men's Reformatory at the wing of the State Prison built in 1923.

The recommendation of the majority members of your present Commission that the new Reformatory for Men, built at the cost of a great capital outlay, should be abandoned, and that Rhode Island should "turn the clock back," and try again in the Prison Jail Wing an experiment which was a complete failure, is one which deserves your most serious consideration.

The practices of massing together, at one institution, first offenders, recidivists, parole violators, sex perverts, psychopaths, and criminals with long records, some of whom have served in the penitentiaries of eight or nine different states, is universally condemned by every student of penology.

Historical Development

There are attached two charts. These charts graphically indicate the historical development, not only in Rhode Island, but

throughout the United States, of the community's policy as expressed in legislation with respect to all types of individuals committing anti-social acts.

It will be noted that, in the beginning, in this State as well as in other states, there was but one institution. This institution was in the nature of a Bastille, a strongly built prison with iron bars, and, surrounding it, high walls of heavy stone construction. In this "Bastile," society incarcerated children of both sexes from eight to fourteen years of age, boys and girls from fourteen to eighteen, young men and women from eighteen to twenty-five, and older adult offenders. The older adult offender group had amongst its members the most dangerous and most perverted elements of society, viz., drug addicts, sex preverts criminally insane, murderers, men and women convicted of homicide, and men convicted of the most atrocious crimes, such as arson, rape, burglary, and murder. At this period, the social idea was mass punishment for all types of offenders, young and old. The chart depicts the changed point of view. This changed point of view, to date, is summed up into twin goals:

1. Diversification of Institutions
2. Effective Individualized Treatment

With respect to Diversification of Institutions, it is interesting to note that, through the years, Rhode Island has made considerable progress. Within the four walls of the prison, we have brought about a partial segregation as between adult offenders convicted of major crimes and adult offenders convicted of misdemeanors and minor offenses. In addtition, we have established the Sockanosset School for Boys and the Oaklawn School for Girls for the reform and rehabilitation of the younger groups. In the existing Reformatory for Men, across the street, we established a third institution for youthful offenders between the ages of eighteen and thirty.

An enlightened and progressive policy would indicate that there should be a further diversification, both with respect to the men in the Prison and with respect to the youthful institutions (Sockanosset School, Oaklawn School, and the Reformatory). Time will not permit me to go into how a further diversification should take place.

With respect to the second goal, "Effective Individualized Treatment," we have also made in Rhode Island considerable progress. The greatest progress that we have made in Rhode Island in the way of "Individualized Treatment" is in the development, along modern lines, of a state-wide system of Probation and Parole. A glance at Chart II attached graphically shows that we have approximately 600 individuals in our three State Correctional Institutions (exclusive of the Providence County Jail). We have, out on probation and parole, receiving individualized treatment from Probation and Parole Counsellors, approximately 2,100 individuals.

We have also made considerable progress in individualized treatment within our corrective institutions. While there is much room for improvement, Sockanosset, Oaklawn and the Men's Reformatory are achieving results in "rehabilitation" of children and youth.

While the question of taxation is not the primary question, it is of more than passing interest to note that it costs the State approximately $2.45 a week to care for individuals in correctional institutions as against some $12 a week to care for individuals on probation and parole. The cost of $2.45 a week in institutions does not include the capital investment in buildings.

As the Men's Reformatory is the particular institution now under consideration, let us consider it from the twin goals (1) of Diversification or Segregation, and (2) of Individualized Treatment. The average number of young men, for several years, is around 125, not too large a group for individualized treatment. The average age of the young men is around twenty-two or twenty-three years, an age when young men are still flexible in mind and so adaptable for mental and moral rehablitation. The average period of time which youthful offenders serve in the Men's Reformatory is a little over a year. The experience of the Division of Probation and Parole is that very few of these young men placed on parole become parole violators so that it is necessary to return them to the Reformatory.

These brief facts speak for themselves, and indicate clearly that Rhode Island has made real progress in the way of reform and rehabilitation of Youthful offenders.

Personally, I feel that there is a great opportunity to make significant progress in this particular field of rehabilitation and reform. I have submitted to the members of the Commission very specific recommendations as to how this greater progress can be achieved. To throw these youthful offenders back into the pernicious environment of the State Prison and County Jail would block forever further progress in our efforts for rehabilitation and reform. It would, in fact, turn the clock of progress backward, not forward.

I attach hereto excerpts from a pamphlet, entitled "Preventing Criminal Careers Through the Establishment of a Youth Correction Authority for the State of New York." (See Excerpt I, attached). There will shortly be introduced into the New York State Legislature a bill for the establishment of such a Youth Correction Authority.

May I emphasize, again, that the policy of this State of establishing a separate building equipped for special training of youthful offenders was a great forward step in this State. Since that time, every leader in the field of penology recognized that, if we are to carry on a real program of rehabilitation for the youthful offenders, we must go further in the way of classification and segregation. We must take steps in line with the Borstal System (see excerpt from pamphlet, "Preventing Criminal Careers," attached hereto).

For the majority of reclaimable offenders, particualrly the youth group, close confinement (often with all types and ages of human derelicts), regimentation, and partial or complete idleness do not add up to the prescription required to fit any human being to live successfully in society. With all due respect to my colleagues on the Commission, that is just the prescription which they propose to write when they recommend to you that we place some one hundred twenty young men, now in our State Reformatory, in the "Jail Wing" of the Prison. In the Jail, today, we have confirmed alcoholics, derelicts, drug addicts, and all types of petty offenders. A County Jail, like the Providence County Jail, like other jails, is the receptacle of the very dregs of the barrel in our social organization. In the Prison, we have men convicted of graver crimes—forgers, embezzlers, the gravest crimes

against sex, men convicted of arson, homicide, and murder. As stated, some of these are confirmed criminals who have served sentences in many of the penitentiaries of the United States.

I cannot lend my support to a recommendation to you, as Governor of the State, that we close the Men's Reformatory and transfer some one hundred twenty boys, most of whom have been convicted of minor offenses, into such a prison community as now composes the Providence County Jail and the State Prison.

It seems to be the opinion of the majority members of the Commission that we could segregate the youthful offenders from the derelicts in the County Jail on the one hand, and the older and more confirmed offenders in the Prison, on the other. That experiment was tried in 1925 at the great cost of building an addition to the Prison, and was a complete failure. (See 1929 Report of Commission To Investigate the State Public Welfare Commission and all Departments Thereunder. From this Report I have quoted extensively.)

I am fully in accord with the plan of the present Commission for the establishment of a Medical Center. It is my belief that room can be found for such a Medical Center somewhere within our present existing institutional structure. I contend, however, that, if room cannot be found in our present institutional structure for a Medical Center, it would be a great mistake to establish such a Center at the sacrifice of youthful offenders, denying to them the opportunity to live in a separate institution, segregated from older male offenders, and to receive therein individualized treatment. Without opposing such a Medical Center, may I point out that this State has a number of splendid hospitals in which those who are physically ill receive the most scientific and most highly individualized treatment. These hospitals have available highly trained men in the medical profession, specialists in every branch of that profession. These hospitals have professionally trained nurses, and are equipped with the most modern scientific apparatus for treatment.

When we compare the existing facilities for highly individualized treatment in our hospitals with the type of professional treatment we give to inmates of our correctional institutions, we must admit that the crying need today is for the establishment, in

our correctional institutions, of a pattern of treatment and cure comparable to that existing in our hospitals, both public and private. For example, for all our State correctional institutions, we have but one State psychiatrist; we have but one State psychologist. We have no sociologist. We have no group of trained social workers. We have very few educational instructors. We have no full-time physician, and only one full-time dentist. For a realistic program, looking to rehabilitation and cure of men convicted of crime, see Excerpt II, attached.

May I say, in conclusion, that it has been a privilge and a pleasure to have served with such a fine group of men and women as composes this Commission. I can assure you that I would not have parted company with them on this point if it had been possible for me to have gone along with this particular recommendation.

Sincerely yours,

Clemens J. France

APPENDIX VIII

Reply to Majority Report—Chapter on the State Hospital for Mental Diseases

In order to properly appraise the past achievements of the State Hospital for Mental Diseases and its present position as a modern mental hospital, it is important to review recent history. Up to the time of the election of Theodore Francis Green as Governor of this State in 1932, the State Hospital for Mental Diseases ever since it was established as an Insane Asylum was, comparatively speaking, one of the most backward institutions of its kind in the United States. A well known psychiatrist stated to me that the Hospital was so far down on the list that it could have been rated as forty-fourth in comparison with state mental hospitals in other states. While there is room for improvement, it is fair to say that our State Hospital would rank amongst the first ten public hospitals of this character in the country. In the dark period above mentioned, the buildings consisted of a number of old ward buildings. These were unsanitary, and, because of the great increase in mental diseases, there was great over-crowding. In the year 1936, largely under the leadership of Governor Green, the State of Rhode Island took advantage of Federal money made available by the Public Works Administration, and practically rebuilt the State Hospital for Mental Diseases. Prior to the time of this building program, the Hospital was lacking in practically all of the facilities requisite to bring the Hospital up to modern standards.

At this point it is advisable to outline the standards for a mental hospital established by the American Psychiatric Association:—

1. The chief executive officer must be a well-qualified physician and experienced psychiatrist whose appointment and removal shall not be controlled by partisan politics.

2. All other persons employed at the institution ought to be subordinate to him and subject to removal by him if they fail to discharge their duties properly.

3. The position and administration of the instituion must be free from control for the purposes of partisan politics.

4. There must be an adequate medical staff of well qualified physicians, the proportion to total patients to be not less than 1 to 150 in addition to the superintendent, and to the number of patients admitted annually not less than 1 to 40. There must be one or more full time dentists.

5. There must be a staff of consulting specialists at least in internal medicine, general surgery, organic neurology, diseases of the eye, ear, nose, and throat, and radiology, employed under such terms as will ensure adequate services. A record of their visits must be kept.

6. The medical staff must be organized, the services well-defined, and the clinical work under the direction of a staff leader or clinical director.

7. Each medical service must be provided with an office and an examining room, containing suitable conveniences and equipment for the work to be performed, and with such clerical help specially assigned to the service as may be required for the keeping of the medical and administrative records.

8. There must be carefully kept clinical histories of all the patients, in proper files for ready reference on each service.

9. Statistical data relating to each patient must be recorded in accordance with the standard system adopted by the Association.

10. The patients must be classified in accordance with their mental and physical condition, and with adequate provision for the special requirements for the study and treatment of the cases in each class, and the hospital must not be so crowded as to prevent adequate classification and treatment.

11. The classification must include a separate reception and intensive study and treatment department or building, a special unit for acute physical illnesses and surgical conditions, and separate units for the tuberculous and the infirm and bedfast. Each of these units must be suitably organized and equipped for the requirements of the class of patients under treatment.

12. The hospital must be provided with a clinical and pathological laboratory, equipped and manned in accordance with

the minimum standards recommended by the Committee on Pathological Investigation.

13. The hospital must be provided with adequate X-ray equipment and employ a well qualified radiologist.

14. There must be a working medical library and journal file.

15. The treatment facilities and equipment must include:

(a) A fully equipped surgical operating room.

(b) A dental office supplied with modern dental equipment.

(c) Tubs and other essential equipment for hydro-therapy operated by one or more specially trained physiotherapists.

(d) Adequately equipped examination rooms for the specialties in medicine and surgery required by the schedule.

(e) Provision for occupational therapy and the employment of specially trained instructors.

(f) Provision for treatment by physical exercises and games and the employment of specially trained instructors.

(g) Adequate provisions for recreation and social entertainment.

16. Regular staff conferences must be held at least twice a week where the work of the physician and the examination and treatment of the patient will be carefully reviewed. Minutes of the conference must be kept.

17. There must be one or more out-patient clinics conducted by the hospital in addition to any on the hospital premises. An adequate force of trained social workers must be employed.

18. There must be an adequate nursing force, in the proportion to total patients of not less than 1 to 8, and to the patients of intensive treatment and acute sick and surgical units of not less than 1 to 4. Provision must be made for adequate systematic instruction and training of the members of the nursing force.

19. Mechanical restraint and seclusion, if used at all, must be under strict regulations, and a system of control and record by the physicians, and must be limited to the most urgent conditions.

In order to appreciate the position of our State Hospital with State Hospitals in other States, certain of these standards should be compared with existing practices at our Mental Hospital.

With respect to standard No. 3, by virtue of our civil service law the positions and administration of the hospital are free from control of partisan politics. The one exception lies in the fact that the position of Superintendent of the State Hospital was, by rule of the State Civil Service Commission and with the approval of the Governor, designated as a "policy making" position. This, in the opinion of the writer, was a mistake, and it is recommended that the position of superintendent be placed under the State civil service.

With respect to standard No. 4—**adequate medical staff.** Prior to the advent of the present war, the State Hospital for Mental Diseases had a medical staff which, both in character and number, compared favorably with other state hospitals. It never did reach the standard of the American Psychiatric Association, which recommended a ratio of one resident physician to every 150 patients. This lack, in my opinion, has not been due to policies of the various State Directors of Public Welfare or the various Superintendents in charge since the new building program was completed. It was due to a lack of appropriations by the General Assembly. In commenting on the above minimal ratio, the report hereinbefore mentioned states that nationally there have been few hospitals that meet this ratio.

With respect to standard No. 5 above quoted, viz. "Consultants," a glance at any one of the Annual Reports of the Department of Social Welfare will show that the State Hospital for Mental Diseases has had an especially fine staff of consulting specialists.

With respect to standard No. 6 "Internal Organization," notwithstanding the criticism of the Majority Report, the medical staff under various superintendents at the Hospital since the com-

pletion of the builing program has been well organized, the services well defined, and the clinical work under the direction of a Clinical Director.

With respect to standard No. 7, while there is room for improvement, the respective medical services are provided with suitable offices and equipment for the work to be performed, and have adequate clinical help.

With respect to standard No. 8, our State Hospital has established an excellent system for keeping clinical histories of all patients in proper files for ready reference for each service. These files at our State Hospital compare favorably with similar clinical file histories in any mental hospital of the country.

With respect to standards No. 9, our State Hospital has on its staff a statistician. The statistics are kept in accordance with the standard system adopted by the American Psychiatric Association. They also are in accordance with the standards required by the United States Census Bureau, to which bureau our hospital furnishes accurate and adequate statistical data periodically. A representative of the United States Census Bureau called upon me this year. She had been making a survey of hospitals all over the country. She highly complimented us upon our files with respect to clinical histories and our statistical department at the hospital.

With respect to standards No. 10 and No. 11, which deal with "classification," at our hospital the classification of patients in accordance with their mental and physical condition has been developed to a high degree. Also, there have been established at this institution various types of buildings, which run from Minimum to Maximum security, including buildings for special types of treatment in accordance with the nature and acuteness of the patient's mental malady. The Mental Hospital has the Adolph Meyer Building, especially built and designed to receive new patients, which is somewhat separated from the rest of the plant. We have the specially built Pasteur Building for those who are physically ill. We have a special building for the segregation and treatment of tubercular patients. We have special facilities for surgical operations. The surgical facilities would compare favorably with those existing in any hospital of like character in the country.

With respect to standard No. 12, our hospital has a special clinical and pathological laboratory which is fairly well equipped. This laboratory is in charge of a well trained specialist in pathology, and he has as assistants a number of highly trained technicians. So well is this pathological unit regarded, both the State Department of Health and the Chapin Hospital utilize the services of our pathologist. There is needed a separate building for this unit of pathology.

With respect to standard No. 13, the State Hospital is provided with adequate X-ray equipment and a well qualified radiologist.

With respect to standard No. 14, the Hospital has a good working medical library and this library is, at the present time, undergoing changes looking to marked improvement.

With respect to standard No. 15, as stated we have one of the best surgical operating rooms to be found in any hospital. We have a dental office with modern dental equipment. We also have essential equipment for hydrotherapy, operated by trained physiotherapists. There are adequately equipped examination rooms for specialists in medicine and surgery. With respect to occupational therapy and the employment of specially trained instructors, up to the time of the war, the hospital had well-trained individuals in this field of occupational therapy. Also, the hospital employs instructors in the field of physical exercise and games. In a future building program, there should be provided a well-equipped gymnasium with a swimming pool in order to extend this most important field of treatment. Still referring to standard No. 15 of the American Psychiatric Association, the hospital has developed many types of recreation and social entertainment. Motion pictures are given in the large assembly room at Harrington House at least once a week, except in the summer months. Dancing in some form or other is held at least once a week, and in the winter months, large community dances are held in the Harrington House. The Social Welfare Department has a specialist in this field of entertainment, who, for many years, was in one of America's leading vaudeville circuits. He organizes special entertainments, and trains patients to perform at these entertainments. Recently, with the approval of the Director, a portable

motion picture machine was purchased. This machine is taken into what we call "the back wards," where patients with acute mental maladies reside. For the first time in the history of the hospital, these most unfortunate mental patients are enjoying motion pictures which are in part for amusement and some of which are educational in character. This portable motion picture machine goes even into the criminal insane wards where in the past there was no opportunity for entertainment or recreation as these patients have to be closely confined.

With respect to standard No. 16 of the American Psychiatric Association, I desire to refer to language in the Majority Report which in effect said that the administration of the mental hospital was largely administration "by the grapevine route." With no desire to criticize my associates on this Commission, I seriously question this statement. In the first place, one of the essential factors in the administration of the hospital is frequent periodic meetings of the clinic led by the clinical director. Such clinical meetings are held at our Hospital with great frequency. This clinic constitutes a very important staff conference with respect to treatment of various types of mental illness. In addition to this, to my knowledge, staff conferences have been held and are currently held between the superintendent and staff members engaged in different specialized services. For example, the superintendent holds staff meetings with social workers, with various heads of administrative units such as the superintendent of nurses, chief dietitian, and men and woman engaged in administrative work such as those in charge of attendants and those in charge of various other special services.

The new superintendent, Dr. John R. Ross, is one of the ablest administrators of a state mental hospital in the United States. He has had the responsibility, in New York State, for the administration of several mental hospitals nearly twice the size of our own. In the period of three months since he came to Howard, he has made signal improvement in this whole field of staff organization and staff conferences.

With respect to standard No. 17, which deals with out-patient clinics, I have dealt with this important subject in the main text of this supplementary report. For a number of years, out-patient

clinic services were available to the citizens of Rhode Island. Under the administration of Dr. Charles P. Fitzpatrick, there were set up several clinics in a number of communities in this state. This important field had to be temporarily abandoned during the war emergency due to curtailment of doctors, nurses and social workers.

With respect to standard No. 19, the State Mental Hospital at Howard had made great progress in this area. Mechanical restraint and seclusion is to a large extent a thing of the past, and is, to use the language of standard No. 19 of the American Psychiatric Association, "limited to the most urgent conditions."

When we compare the State Hospital for Mental Diseases with the standards established by the American Psychiatric Association, we find that (a) the physical plant and equipment of our State Hospital approaches closely those standards, and (b) the various services rendered at our State Mental Hospital, while they do not fully meet the standards, compare most favorably with other States. So great have been these achievements, that our State Mental Hospital is rated by specialists in this field amongst the first ten of the institutions dealing with mental illness. It is extremely unfortunate, in the opinion of the writer, that the majority members of this Commission have subscribed their names to a report which is in general an indictment of a hospital of this high character. It is equally unfortunate that this indictment is not based upon all of the facts.

There are four major allegations in the majority report:

(1) The internal Administration is "of the grape-vine variety"

(2) Certain administrative steps of the Director constitute a "blow" to the occupational therapy program.

(3) In establishing a centralized system of accounting and fiscal control, the Director has taken from the Superintendent of the Hospital administrative functions belonging to him.

(4) In initiating a transfer of funds from one appropriation to another, the Director of Social Welfare infringed upon powers of the Legislature.

I will discuss these allegations in the order set forth.

(1) **"Grapevine Administration"**

On repeated occasions I have requested the members of the Commission to call into consultation, with respect to the Mental Hospital, two of the leading specialists in this field who reside in Rhode Island. One of these specialists has recently been President of the American Psychiatric Association and is now a member of a National War Committe of highest importance. The second Rhode Island specialist is most familiar with the State Hospital for Mental Diseases. He was, for a period, State Director of Social Welfare. The Commission did not see fit to call in these experts living in our State.

I have also advised the Commission to call in specialists in this field of mental illness from outside of the State of Rhode Island. The members of the Commission did not see fit to call in such experts. The only exception to this was that Dr. Adolph Meyer, an eminent psychiatrist, spent one morning at the State Hospital and thereafter spent approximately two hours with the Commission. The statements of Dr. Meyer, after he had made a very casual inspection of the Hospital, were favorable to that institution rather than unfavorable.

Several statements in the Majority Report are a mixture of presumed facts and conclusions. One is to the effect that the Governor of the State had received numerous complaints, both from the patients and the families of the patients. It is implied that the public does not know what goes on inside of the institution. With this statement is an implication that there is, and has been, something "**secretive**" with respect to the State Mental Hospital; that it has been run for the benefit of the Department of Social Welfare and the various Superintendents, rather than for the benefit of the people.

The statement of presumtive fact and conclusion is utterly without foundation. The writer of this report has been Director of the Department of Social Welfare for something over two and a half years. In that period I have received but one letter in the nature of complaint from the family of an individual who was a patient at the State Hospital. It is the practice of the Governor

to send to me all complaints of every kind which are received with respect to the State Institutions. To the best of my recollection, I have received from the Governor but three letters of this character, addressed to him.

With respect to complaints of patients, it is true that the Governor and Director received quite a few letters from patients. Anyone familiar with the mentally ill knows that there are certain types of the mentally ill who find it a matter of personal mental therapy to write letters to everyone concerned. In every case when a letter of this kind is received, the complaint of the patient is given a personal investigation. I do not know of a case where the Clinic at the Hospital did not report that the writing of such a letter was part of the symptoms of the mentally ill person. I have been personally astonished that, in the period of over two and a half years, hundreds of complaints have not been received from the families of some 2,800 patients at the Mental Hospital.

With respect to the implication that there is something **secretive** and that the public does not know what is going on, may I point out two highly important phases in connection with the administration of the Mental Hospital:

(1) We have regular visiting days which are open to the families and relatives and friends of the patients. Everything possible is done to encourage the families relatives and even friends to visit the patients at the Hospital. When visits are made, the staff comprising physicains, nurses, and others are encouraged to talk with the relatives who are given complete facts with respect to the patient and his progress.

(2) We have a well established staff of Social Workers. One of the important functions of this staff is to keep in touch with the relatives of the patients, advising them of the progress the patient is making and encouraging them to come to the Hospital and visit them.

The Majority Report states this administration is of the "grapevine variety." Considerable space is utilized in discussing this type of internal administration. It is pointed out that in the past four years there have been three superintendents at the State Hospital. The Commission has commented most favorably upon the scientific qualifications and ability of these three

superintendents. It is somewhat peculiar that three such able superintendents should have had such bad internal organization that it could be characterized as an administration of the **''grapevine variety.''**

I cannot speak for the period prior to the time I have been Director of Social Welfare. It happens that for the two years and a half that I have been in residence at Howard I was in constant contact with Dr. Charles P. Fitzpatrick, the Superintendent of the Hospital. I made it my business to know about the internal organization and the internal administration. Dr. Fitzpatrick was recognized throughout the United States as one of the leaders in this special field of Medical Science. He served on several important committees of the American Psychiatric Assocition dealing with administrative problems; one of these which dealt with Psychiatric Nurses made signal contributions recognized throughout the country. This statement ''grapevine variety'' of internal administration is a severe reflection upon a man of Dr. Fitzpatrick's character and ability and upon the constructive services he rendered to the State of Rhode Island in bringing the Hospital to its present point of efficiency and scientific achievement.

(2) **''Occupational Therapy''**.

What was said in the Majority Report with respect to Occupational Therapy deserves a considerable degree of discussion.

In the Majority Report, a statement is made that since the initiation of the building program there have been four Directors of Social Welfare and that only one of these knew anything about Occupational Therapy.

When a witness is called upon to testify in court, the attorney takes certain steps to qualify him to show that he is an expert. The present Director of Social Welfare, upon graduation from college, spent three years in post-graduate work, specializing in Psychology. He received a doctor's degree from this post-graduate institution and wrote a thesis dealing with an important subject in the field of ''Psychology of Human Behavior.'' During the three years the present Director of Social Welfare was doing post-graduate work at Clark University, he attended a number of clinics presided over by Dr. Adolph Meyer, who had been brought

to the Worcester State Hospital from Austria, where modern psychiatry got its start. Dr. Meyer has been for years recognized as one of a half dozen leading psychiatrists in the nation. Because of the early training and background in this field, the Director of Social Welfare has taken a very special interest in the problems of mental illness. He has read much of the modern literature with respect to all types of Therapy. The writer believes, therefore, that he is not entirely without qualifications to discuss Occupational Therapy.

Several criticisms were made in the Majority Report of steps which the Director of Social Welfare has taken in connection with the administrative organization at Howard:

(1) The Director has been criticized for taking the Farm away from the State Hospital for Mental Diseases, and establishing the Institutional Farm Program. It is alleged this was "a blow" to occupational therapy.

(2) The Director has been criticized for establishing at Howard a Division of Centralized Construction and Repair. It is alleged this, also, is a "blow" to occupational therapy.

It is important in order to understand the actions of the Director which have been criticized in this report to visualize the nature and character of what we call "Howard." Recently, a very able reporter of the Providence Journal and Evening Bulletin characterized Howard as "Rhode Island's 40th Comminuty." **It is in fact a "community."** It has all the administrative problems common to an incorporated city or town. For example, it has a power plant, it has a water system, it has important construction and engineering problems, some of which relate to specific institutions, and others which are common to the whole community. These include highways, sidewalks, steam lines, a sewage system, power and transmission lines, police and fire protection. At Howard there is a large and fertile farm, consisting of over 500 acres. In fact, it is the largest diversified farm in the State of Rhode Island.

In the discussion which follows, there should be borne in mind the community aspects of Howard:—

The Institutional Farm Program

The Institutional Farm Program had been initiated approximately a year prior to the time I was appointed Director. I gave it very serious study and concluded that this was a very sound program.

I am reliably advised that before the Institutional Farm program was adopted, there were three separate farms: one known as the Mental Hospital Farm, one known as the Prison Farm, and one known as the Sockanosset Farm. Taking the last first, the Sockanosset Farm comprised some fifty acres. It had little or no modern mechanical equipment; its dairy had been allowed to run down and a very considerable proportion of the cattle were diseased. The boys at Sockanosset did little work on it, chiefly because they were too young for heavy farm labor. The Prison Farm while it was a good sized farm comprising some 350 acres was too small to carry on a fully diversified farm program under the modern system of rotating crops. In consequence, the principal crop at the Prison Farm was potatoes, planted year after year, with the result that much of the fertility had been taken out of the soil. Its dairy herd, also, had been allowed to deteriorate. This was true also of the farm facilities, the barn and equipment. The Mental Hospital Farm comprised some 250 acres. Like the Prison Farm, it specialized in certain types of farm products which were easy to grow. It lacked any diversified farm program involving the rotation of crops to rehabilitate the soil. The new Dairy Barn which had been constructed under the building program had been neglected because no constructive repair or replacemet program was made for a considerable number of years. The poultry plants, both at the Mental Hospital and at Sockanosset School, had been allowed to deteriorate so that the production of eggs was comparatively low. The cattle herd at the Mental Hospital farm had also been allowed to deteriorate. All of this was due to the lack of a centralized scientific program in charge of a highly trained agriculturist. At the present time, the Superintendent of Institutional Farms is holding the position as the result of a Statewide Civil Service examination. He is a graduate of Rhode Island State College and in addition thereto holds a post-graduate degree from that institution as a result of post-graduate work.

In the past two years, as the Director of Social Welfare, I have given a great deal of time, thought, and attention to this Institutional Farm Program which resulted in the combining of the three farms above mentioned. Several highly important achievements should be noted.

Under a scientific program of rotating crops and diversification of products grown, we have been able to furnish all the institutions at Howard, throughout the summer months, with the highly important items of diet, viz., green and leafy vegetables. While the farm products formerly went only to the Prison and Mental Hospital, they now go to the Prison, the two Reformatories, State Infirmary, Sockanosset School and Oaklawn School. When there is a surplus of certain vegetables, these are furnished to the State Home and School.

Not only are the ground crops so distributed, but the milk and eggs are distributed from the Institutional Farms to all institutions. We also raise a very considerable amount of poultry meat and pork products. This is distributed equitably to all institutions.

With the fine support of the Governor and the General Assembly, we have received increased appropriations during the past two years for the expansion of the Farm Program. As a result, in two years, farm products of all kinds, including ground crops, milk, eggs, poultry meat and pork products have been increased **twenty percent.** We are now well on the way to having one of the best herds of dairy cows in the State; also one of the best breeds of poultry and pigs. Under an expanded program, we expect to furnish all the milk and eggs consumed by a population of nearly five thousand persons. Under the old program, the purchase of milk and eggs was a leading item of cost in the food appropriations.

Also, since the inauguration of the Institutional Farms Program, a small and insignificant canning program on the grounds of the State Hospital for Mental Diseases has been greatly expanded. Last year we canned approximately 34,000 one-gallon cans of vegetables, fruits, etc. This year we will have canned when the season closes over 60,000 one-gallon cans of vegetables. On the market today these canned goods alone would have a value

of approximately $60,000. The type of goods canned are tomatoes, squash, beans, carrots, beets, rhubarb, and apple sauce.

Today, the value of the farm products produced equals approximately thirty percent of the total value of all food consumed by the various institutions.

Speaking of the Mental Hospital, every psychiatrist with administrative experience realizes the importance of diet in the treatment and cure of mental patients. This diet must be of great variety; the food must be appetizing and well served. At the Mental Hospital we have one of the best dietitians in the United States. The character and quality of the food served to the Mental Hospital patients compares most favorably with other State Hospitals.

There is no question that the variety and the type of food furnished the patients at the Mental Hospital has been greatly improved as a result of the Institutional Farms Program. This fact was recognized by Dr. Charles P. Fitzpatrick, who was greatly interested in this dietary problem. He had experience, both under the regime when the farm was exclusively devoted to the State Mental Hospital, and the new regime of the Institutional Farms Program.

With these advantages in mind, who supervises the patient? At all times he is under the supervision of the Superintendent of the Mental Hospital. For example, the Superintendent and his assistants carry on the "classification" and "assignment" program. To anyone familiar with Occupational Therapy, this is one of the keys to this type of therapy, viz. ,the selection of the patient with respect to the potential value to him of a particular work assignment. When the patient is actually on the work, there is always an attendant in charge of a comparatively small gang.

A most important phase of Occupational Therapy is the progress made by the patient as a result of the particular "assignment." Full opportunity is afforded to the Superintendent and the clinic to appraise the beneficial or adverse results to any person assigned to farm work.

We see, therefore, that the Institutional Farm Program in no way interferes or jeopardizes the four essentials in an Occupational Therapy Program.

1. Classification and assignment to suitable work.
2. Direct supervision by a member of the Hospital staff.
3. The therapeutic value of the work itself.
4. Evalution by the Hospital Clinic of the beneficial results to the patient.

On the other hand, a scientific farm program offers opportunities for learning about scientific farming.

The expansion of the Farm Program has also increased the opportunity for a larger number of Hospital patients to work at this healthy exercise.

We conclude, therefore, that the Institutional Farms program has, first, given a greater quantity and variety of food, and has highly improved the dietary content of patients at the State Mental Hospital, and second, it has given these advantages to other institutions which were heretofore deprived of the proper dietary content. Third, it has saved substantial sums of money with respect to food appropriations. This latter is of no small importance. To the extent we can make Howard with respect to food "self-sufficient," to the same extent we can request and obtain from the General Assembly adequate appropriations for other essential needs. It is important also to bear in mind that the State Hospital for Mental Diseases, with nearly twice the number of patients as all other institutions at Howard, has been the chief beneficiary of this constructive food program.

Division of Centralized Maintenance and Repair

In the Majority Report of the Commission, it is also alleged that the recent action of the Director of Social Welfare in the establishment of a Central Construction and Repair Division was **a blow to Occupational Therapy at the State Hospital for Mental Diseases.**

Attention has been called to the fact that Howard, Rhode Island has been designated as Rhode Island's 40th Community.

In this community, including all of the institutions, there are approximately 132 buildings. These buildings include large hospital buildings, and a special medical and surgical building and several buildings for administration purposes; one large well equipped gymnasium and swimming pool; the State Prison and County Jail, two Reformatories, cottage-type buildings for inmates at Sockanosset and Oaklawn, and a very considerable number of residential buildings. There are miles of roads and highways and miles of under-ground steam lines, sewage systems, electrical and power lines running from institution to institution.

Like any community, these buildings have all of the modern equipment, viz., running water, toilets, bathrooms, and several thousand plumbing fixtures. The buildings also have thousands of doors which are constantly suffering damage by reason of the nature of the patients. All of this requires the expert services of plumbers, carpenters, electricians, etc.

Do mental patients do this highly specialized work? You would so assume from the Majority Report. That assumption is ridiculous on the face of it.

To my knowledge, when plumbing fixtures get out of order, the Superintendent never calls upon a patient to repair it. He calls upon the plumber who is an expert and on the payroll. When window panes get broken these window panes are replaced by the carpenter. When the doors and locks get broken or are in disorder, these are repaired by the carpenter. When electrical fixtures get out of order and require new wiring or a replacement of new parts, this work is done by an electrician. These jobs are emergency jobs and have to be attended to quickly. The most that a patient would ever have to do would be to assist in carrying a kit of tools or hold a wrench or a hammer. The patient cannot do this expert mechanical work. The only major type of repair or maintenance work which is done by patients at the State Mental Hospital is interior painting of walls and floors. This painting is generally done under the supervision of the expert painter on the payroll of the Maintenance Division.

It should be apparent, therefore, that the Division of Central ized Maintenance and Repair is not a "blow" to the Occupational Therapy program. As a matter of fact, the painting of walls and floors is still being done by the patients. As in the case of the In-

stitntional Farms program, general supervision by the Central Construction and Maintanence Unit does not in any way interfere with the Occupational Therapy objective. In some cases, the patients do certain painting and occasionally perform some very rough carpentry work. As stated, the essentials in an Occupational Therapy program are:

(1) Classification and assignment.

(2) The value of the work itself under direct supervision of hospital attendants.

(3) The evaluation of this work by the Psychiatrist with respect to how it has improved the mental condition of the patient.

These factors are in full control of the Superintendent of the Hospital and the Psychiatrists assisting him.

The Nature and Objectives of Occupational Therapy

It is important that readers of this report understand the objectives of occupational therapy.

While there is some difference of opinion as to the scope of the term "Occupational Therapy," the prevailing opinion amongst psychiatrists is that any activity which may afford a patient in a mental hospital opportunities to keep him occupied and to assist him to utilize such mental faculties as he is capable of should be included in this term.

At our State Hospital for Mental Diseases, there is a great variety of such activities. For example, all patients who are capable of so doing, make their own beds and sometimes work on the wards in making beds for other patients; some patients scrub floors; some patients peel potatoes; some patients cut bread. Some are assigned to work on the farm, and in a very limited degree some are assigned to assist in painting walls and floors, and to do rough carpentry work. This, however, comprises the least of all the many activities. Some patients mow lawns, rake leaves, trim hedges, etc. All of these activities are under the direct supervision of the Superintendent of the Mental Hospital. There are other work activities which the patients perform, such as making and repairing mattresses, cutting material for making sheets and

pillowcases. Under supervision they cut material and make dresses, overalls, and other work clothes. Other patients work in a shoe repair shop and in the furniture and upholstery shop; all of this is under the direct supervision of the Superintendent. In addition to work activities, there are various recreational programs which, broadly speaking, come within the scope of Occupational Therapy. For example, patients belong to baseball teams; patients engage in community dancing and dramatics. We have a patients' choir and a small orchestra. In the summer, in the recreational field we have patients who engage in various forms of outdoor games. We have community singing, sometimes in large groups at the Harrington House, and sometimes in small groups in the wards.

In addition to the foregoing, a very considerable number of patients who are quite harmless are given ground privileges. Many of these are "on their own." They go out in season and pick blueberries, other wild fruit and mushrooms. This type of independent activity is considered of high value.

There is also a class of patients who have serious mental derangement that are in what we term "back wards" in the Pinel and Dix buildings. Even these patients are given a type of occupational therapy in the summertime. They are taken out in groups. Under the supervision of nurses and attendants, they are taken on hikes, walked around the grounds; sometimes they get on a hay wagon and take a hay-ride. This is also occupational therapy up to the limit of their capacity. Many of the patients, by this outdoor exercise, come to recognize the beauty of nature; as they hear the birds sing they begin slowly to reach back into the light of the world. As soon as they are able, light and easy types of work are given them, such as raking leaves, etc. Many of the patients who cannot readily be taken out are given specific instructions in crocheting, needlework, rug making and various other types of art handicraft.

I find that of the 2,800 mental patients in the Hospital, there are on the average of approximately 1,150 patients who are engaged in the various types of occupational therapy activities cited above. This is a high proportion and I am sure compares favorably with the best institutions in the country. Therefore, the

statement or implication in the Majority Report that the Occupational Therapy program at our State Hospital has not been developed is contrary to the facts.

Financial Accounting and Fiscal Control

The Director of Social Welfare is criticized for establishing a system of centralized accounting and fiscal control. I quote from the Majority Report:

"....He (the Superintendent) must follow his budget but there has been set up over him a financial system by the Director which is to tell the Superintendent **what he can do and what he cannot do and yet he still has the responsibility.**"

This statement is erroneous from two points of view; first, it is not in accordance with the laws of the State of Rhode Island and second, it is not in accordance with the facts as to what the Director did in setting up the system of fiscal control.

With respect to the law, since the passage of the Green Reorganization Act establishing six separate State Departments, the superintendent of an institution has not had the absolute control under the appropriations as stated in the above quotation. In fact, he never had it in the history of this State, to my knowledge.

(1) Under the Green Reorganization Act, the Director of Finances has the basic control over the expenditures of all appropriations as well as the basic control over all purchases.

(2) Under the Green Reorganization Act, the Director of each Department has been given direct supervision and control over the expenditutes of the various institutions and divisions within his department.

Under this system, all purchases are made by the Purchasing Agent within the Department of Finance. All requisitions with respect to purchases have to be signed or approved by the Director of the Departemnt or his authorized agent. So much for the statement of the law with respect to the powers of a superintendent.

Let us next consider what the Director of Social Welfare actually did when he established a Division of Central Business Management.

As a bit of background, the establishment of this new system of centralized fiscal control was worked out over a period of nearly one year by the Director of Social Welfare and the Business Manager of the Department, working in cooperation with the State Director of Finance and the Budget Officer. It has been stated that there was this year appropriated for the Mental Hospital some $833,000. In addition to this, there was appropriated for other institutions which are embraced in this study the sum of $1,000,062 or a total of approximately $2,000,000.

The statement above quoted carries the implication that this new program takes away from the superintendent of the Mental Hospital and other superintendents the power to expend the monies appropriated for his institution in any way he determines is best for the institution. This is entirely contrary to the facts. Space will not permit setting forth the full Administrative Order establishing this new Division. This Administrative Order expressedly provides that there is not taken from the superintendent or other institutional heads the power to make appointments or to delegate the services of individuals, or to recommend salary increases; nor is the power taken from superintendents and institutional heads of initiating all requisitions for such items as food, clothing, consumable supplies, repairs and replacements, including new equipment.

This function is regarded by the Director as one belonging to the superintendent or institutional head. It has been a basic policy of the present Director to decentralize these functions and place the responsibility on the superintendent and institutional head. The Director considers that a capable superintendent is the best judge with respect to his personnel, their qualifications, and the best judge as to the type of items he should purchase within his appropriation.

What was actually done? A summary and functions of operation of this new Division are set forth:

Operations Unit

Under this Unit there are four Sections, namely:

Document Examination
Consumption Research and Planning

Inventory and Consumption Control
Specifications and Standards

The objective of the Document Examination Section is to check the accuracy of the various documents when received from the Institutional Heads, such as requisitions, purchase orders, receiving reports, invoice-vouchers, and related papers. Purchase Requisitions will be priced before presentation to the Accounting Unit for posting against the appropriation acccount.

The objective of the Consumption Research and Planning Section is to complete statistical data with respect to quantities consumed, as food, clothing, shoes, blankets, and the like. This will develop a series of yardsticks for establishment of needs on a quota basis, and will serve as an intelligent basis for estimating budgets. Further, this research will enable the Department to determine and set up certain standard specifications.

The Inventory and Consumption Unit will exercise supervision over all inventories of all staple items, such as food, clothing. This is tied in closely with the Consumption Research and Planning Section with respect to quotas.

The fourth section within the Operations Units, known as Specifications and Standards, is designed to determine that the goods delivered come up to specifications as set forth in the requisition and purchase orders. From experience as developed in this section, we will be able to set up definite standard specifications.

Accounting and Control Unit

Under this Unit there are two sections, namely:

Machine Accounting
Reconciliation and Reports

The Machine Accounting Section will keep track of all appropriation expenditures, which were previously handled manually and separately by each Institution and Division. This will be accomplished by encumbering against these appropriations from requisitions and/or purchase orders, and the final liquidation of the purchase orders from the paid voucher.

By this process as outlined, this Unit will be in a position to reflect accurate daily, weekly, or monthly unexpended balances of each appropriation account.

The purpose of the second section, Reconciliation and Reports, is obvious; that is, reconciling the balances with the Controller's Office and reporting the financial status to the Institutions and Divisions concerned.

This new activity will also serve the Institutions outside the Howard Reservation.

In conclusion, there has been set up a special committee known as "The Dietary Standards Committee." The Chairman is the Superintendent of the Mental Hospital. Other members are Superintendents of the Infirmary, Exeter School and the Warden of the State Prison. The Director and the Busineess Manager are members ex officio. The head dietitians of the Mental Hospital and the Infirmary are also members of this Committee. It will function in close co-ordination with the Consumption Research and Planning Section, and is a very important Committee in these days of food shortages and rationing.

Anyone familiar with the field of Business Management and Control would make a clear distinction with respect to what might be termed "policy" in connection with the selection of personnel and the purchasing of food, clothing, equipment, etc. All of this policy resides today in the hands of the Superintendent as it did in the past. No restrictions are made upon him whatsoever as to whom he shall appoint, whom he shall discharge, or what types of articles he shall purchase or the quantity he shall purchase. The only exception to this is that the new division keeps a check on the existing inventories as to whether the quantity purchased at the given time is necessary. It reviews the state of the inventory and advises whether there is money available within the appropriation.

In addition, however, to what we term "policy" with connection to the purchases, there is the important question of **fiscal control and accounting.** This is a two-fold problem. Somebody connected with any State Department must be advised at all times of the exact state of the appropriation, particularly when

the appropriation is broken down into line item budgets. Somebody must know, as the months roll by in the fiscal year, as to whether an institution is keeping within the money available through appropriations.

In the case of the Mental Hospital, which has an annual appropriation in some years approaching nearly a million dollars, this fiscal control and financial problem is no small matter. Neither is it a small matter for the Social Welfare Department as a whole. In the expenditure of millions annually, every well organized private business has such a Departemnt of Fiscal Control and Accounting. It is essential in order that the private business know, each month, where it stands.

In all the hsitory of the State Institutions at Howard, **there has never been an adequate and efficient system of control and accounting.** This is due to several facts: In the first place no institution, even including the State Mental Hospital, was large enough to justify having a man at the head of such a fiscal control and accounting division who had the proper training, background and experience. For example, the present Business Manager of this Division receives $5,000 a year. This is comparable to the salaries of the superintendents and institutional heads of major institutions. It exceeds the salary received by the Superintendents of Sockanosset School, Oaklawn School, State Home and School, and the Soldiers' Home.

As a matter of fact, in all of the institutions except the State Hospital for Mental Diseases, there has never been anyone with adequate experience and training in this important field of fiscal control and accounting. The work has been left to the Superintendent who has had as his aid a bookkeeper or an assistant in a classification generally receiving less than $2,000. yearly. Secondly, because of this situation, none of the superintendents, during the administration of the present Director, ever knew to any degree of accuracy the status of their appropriation, particularly as broken down into line item categories. May I cite one notable example. In the first year when I was Director of the Department, the Superintendent of the State Hospital for Mental Diseases requested a deficiency appropriation in January 1942, in the sum of $50,000 for his Operating Account, basing it upon the estimate

of requirements for the balance of the fiscal year. The Legislature appropriated the sum of $50,000 in a Deficiency Bill and made it available for expenditures for the balance of the year. When the books were finally closed, the Operating Account showed a surplus of $40,000. This could not happen under a proper system of fiscal control and accounting. It is needless to say that this transaction was exceedingly embarrassing to the Governor, to the Director of Finance and to the Director of Social Welfare who had taken the word of the Superintendent of the Mental Hospital as to the need for this deficiency appropriation.

Transfer of Funds

The Majority Report makes certain criticisms with respect to transfer of funds. As this criticism involves the Governor and the Acting Director of Finance, these important officials might well have been consulted. They were not consulted.

The following is an excerpt from the Majority Report:—

"..... In our opinion, money appropriated by the Legislature for the running of the State Hospital should be spent for the State Hospital, and unexpended balances returned to the State Treasury. Emergencies should be met by Emergency Funds. The Legislature appropriates the money. The State Hospital has a budget. The Commission is of the opinion that the transfer of large sums of money from the funds of the State Hospital for Mental Diseases to other projects which are not allied and only distantly related is going too far, and usurping the will of the Legislature, which appropriated the money. Sums thusly transferred are difficult to trace, and are contrary to the budget system which is the law."

Here again the Majority members of the Commission have been misinformed both as to the law and the fact.

First, with respect to the law, I quote from General Laws of 1938, Chapter 7, Section 4, which reads as follows:

> "Clause J. In case of an emergency, or unforseen circumstances not existing at the time of making an appropriation, any department may request the transfer of a portion of any item of appropriation to another item of appropriation made

for the same department; and the state budget director and comptroller, with the approval of the governor, may issue an order for any such transfer; provided, that no such transfer shall operate to increase the total of the amounts appropriated for any such department; and the state budget director and comptroller shall record the same and cause the accounts of the appropriations affected to be changed accordingly.''

It will be seen by this statute that neither the Director of Social Welfare or any other Director of the State has the power to transfer monies appropriated by the Legislature from one appropriation to another. Very wisely, however, the Legislature itself delegated to the Governor of the State and the Director of Finance the power ''**In case of emergency**'' to transfer funds within a Departemnt.

This type of statute is considered by experts in the field of Public Administration as a wise and necessary delegation of power by the General Assembly. It must be remembered that in our State, Annual Budgets are prepared, generally speaking, **on or before December first,** prior to the meeting of the General Assembly. This is necessary in order for the Finance Department to make up an over-all State Budget which will be within the anticipated revenue. It is also necessary in order that the Governor can prepare his Budget Message to the General Assembly. When the General Assembly passes the Appropriations Bill for the fiscal year beginning July first, it is apparent, therefore, that the budget appropriations as requested by a Director of a Department were prepared some eight months in advance of the first day when the appropriations are available for expenditure. These expenditures extend for a whole fiscal year thereafter; to wit, July first. It can happen and frequently does happen in every Department of the State, that in January or February of a fiscal year, which is fourteen or fifteen months after the budget was first prepared, that changes have taken place. These changes may consist of availability of personnel, prices of goods, and various other factors which are entirely beyond the control of the Director of the Department and which could not have been anticipated by him fourteen months before.

May I point out that the transfers criticized were made to benefit the Farm Program. The need of repairs to farm buildings "cried out loud." It is the implication in the Majority Report that this money was diverted for non-institutional purposes.

The chief beneficiary of this expedniture on the dairy barns, piggery, and poultry plant was the State Hospital for Mental Diseases. It was not diverted for an unrelated purpose. Also, a certain amount of unexpended balances was transferred from certain institutional accounts to make up a deficiency in the Operating Expenses of the Institutional Farms. This was to pay for hay, grain, and feed for cattle, poultry and hogs. There was a deficiency in the Institutional Farms' Operating Account due to two factors: (1) a great unanticipated rise in the cost of all types of feed products due to the war and (2) due to the expanded farm program.

Had this money not been transferred, **it might have been necessary to dispose of cattle, poultry, and hogs which were essential to feeding the population at the State Hospital and other institutions,** or, in lieu of this, to ask for a deficiency appropriation. The Department of Finance very wisely agreed with the recommendation of the Director to make this transfer in lieu of making a request for a deficiency appropriation from the Legislature. All of this was done under a signed order by the Governor, acting by virtue of the powers delegated to him by the General Assembly in the Act above quoted.

This review of various statements and criticisms contained in the Majority Report clearly indicates that the majority members of the Commission made statements based upon misinformation, both as to the law and the facts. May I conclude this review of the Majority Report of the Commission with one very important statement. The majority members of the Commission view with alarm the fact that the Institutional Farms program was inaugurated with a scientific farmer at its head; the majority of the Commission view with alarm the establishment of a Division of Central Construction and Repair under a well qualified Construction Engineer; the majority of the Commission view with alarm the Division of Central Business Management and the placing of fiscal control and accounting under a highly qualified expert in this field. I am led to raise the question—What are the major

objectives of the Hospital for Mental Diseases and what type of man should be selected as Superintendent to carry out these objectives?

I am sure that everyone reading this Report will agree that the major social objective of the State Mental Hospital is not to run a farm and produce food; that the major social objective of the State Mental Hospital is not to take care of maintenance and repair of doors, lighting fixtures and plumbing; that the major social objective of the State Hospital for Mental Diseases does not lie in fiscal control and accounting.

The major objective of the State Hospital for Mental Diseases is to give the very best type of scientific medical therapeutic treatment and care to the mentally ill of this State. This is an obligation and a responsibility of the highest order. It is a responsibility of the Governor of the State when we have some 2,800 mentally ill in our Hospital; it is an obligation which no Director of Social Welfare can ignore.

What type of a man is qualified to carry out this all-essential objective, viz., the care, treatment and where possible the cure of the mentally ill. He must be a man with the highest type of training in this field of mental hygiene; he must be up to date with respect to scientific research and scientific development in therapeutic treatment, in a science which is progressing with a degree of speed today almost unheard of in this field of physical and mental illness. To keep up with the progress of this science is no easy task. The Superintendent of the Mental Hospital must also be an able administrator; he must understand the type of physician, nurse, occuaptional therapist, attendant and dietitian required. He must have the ability to set up and maintain a proper internal organization, the importance of which is so well expressed in the Majority Report.

Is it not clear that there is a grave danger in placing upon the superintendent of a mental hospital a great variety of administrative obligations, responsibilities and duties which are not directly related to the main issue, the scientific care and cure of the mentally ill. I do not believe on this side of the "Pearly Gates" there exists a man who embraces within himself the fundamental qualifications of a highly trained psychiatrist and administrator of a mental

hospital, a skilled scientific farmer, a skilled construction and maintenance engineer; and a skilled business manager dealing with fiscal control and accounting. There is an axiom that "he who is jack of all trades is **master** of none."

It is my considered opinion the chief fault in our State Hospital for Mental Diseases, in our State Infirmary, in Exeter School, in Sockanosset, in Oaklawn, in the State Homes and School, and even at a lesser institution like the Soldiers' Home, is, that the superintendent is expected to be a specialist in his field and at the same time a "jack of all trades." To the extent that he tries to be a "jack of all trades" will he fail in his major function of scientific care, therapeutic treatment and efficient administration.

May I say that two of the leading superintendents now holding office under the Director of Social Welfare stated to me in effect, "Thank God," when I explained the plan for an efficient system of Business Management, Control and Accounting. Each of them stated that with the advent of increasing requirements with regard to the bookkeeping and fiscal control of appropriations; with the advent of the State Civil Service system which required a multitude of forms, controls, and checks with respect to personnel, that at least half of the time was deviated from the main job, **the care and treatment of patients in their charge.**

Conclusion

I regret that it was necessary to take so much valuble space in this Appendix to the Supplementary Report in answering criticisms of the Department of Social Welfare and its Director, and past Superintendents of the State Hospital for Mental Diseases. The major direction of these criticisms was in the fleld of public administration. To the public at large, especially the taxpayers, in these days when taxation is bearing heavily upon everyone in the communinuty, there is no more important subject than efficient, business-like administration with respect to the monies appropriated by our General Assembly.

Whatever the qualifications may be of the present Director of Social Welfare, his previous background and experience give him certain qualifications in this important field of management, both personnel and business management. He was connected in

the past with two of the largest private business organizations in the nation. In that period he was called upon, as part of his job, to study the principles of efficient business management as it had developed in a significant degree in private industry. Faced with the responsibility, when Chairman of the Unemployment Compensation Board, of expending annually several hundred thousand dollars of public funds, and faced, as Director of Social Welfare, with the expenditure of approximately seven million dollars annually of public funds---substantially a third of all the monies spent for all purposes by our State Government--the Director of Social Welfare would have been indeed derelict if he had not given special study to this important subject of Public Administration, especially as it related to the expenditure of public funds.

Future history will alone tell. Yet I am confident that the Director of Social Welfare has made lasting and constructive achievements in the very area which has been so subjected to criticism by the Majority Report on the State Hospital for Mental Diseases. May I take the liberty of summarizing:

(1) Food, at all times and especially during this War Emergency, is a matter of vital importance to some 5,000 men and women in our State Institutions. The development of the Institutional Farms Program has been a significant development. To raise on our farm in value substantially one-third of the food consumed at Howard is an achievement. Under the present program, the Institutional Farms at Howard will, without question, become known not only in Rhode Island but throughout New England as one of the best scientific farming projects of its size. For this I make no apology.

(2) The Centralizing of Maintenance and Repairs for a community of some 5,000 or more people is also an achievement. Where would the City of Providence be, or even a smaller city, if it did not have a City Engineer with supervision over a City Engineering Department to meet the various and manifold technical requirements in respect to the community's utilities. These include power, water, sewage, roads, sidewalks, and the proper upkeep of millions of dollars of city buildings.

When I became Director of Social Welfare, I found out that the lack of a centralized and integrated Engineering Department

with no competent Construction Engineering Head had resulted in the serious deterioration of valuable State property. In some cases this deterioration was so great that it placed impediments in the way of proper treatment and therapeutic care of patients. For curing this defect, I make no apology.

(3) The program which relieved the Superintendents of the various State Institutions of the highly technical business of accounting and fiscal control, I am sure achieves two major results. First, in the years to come it will save not thousands, but millions of dollars to the State of Rhode Island, and second, the Superintendent of our Institutions will not be bothered with mathematics and figures. He will be able to devote his time, his talents and his experience as a scientist, to the development of a scientific program for the care, the cure and the rehabilitation of those unfortunate citizens who find themselves in a State Institution. It should be borne in mind that the only thing that has been taken away from any Superintendent, is ''mathematics''—mathematics of fiscal accounting and control. It is needless to say how important this is in a department which is responsible for the expenditure annually of some seven million dollars of State monies.

It is unfortunate that the majority members of the Commission proceeded on what I term ''academic'' assumptions. The Commission might have consulted the Acting Director of Finance and the Budget Officer of the State with respect to all of the three subjects above mentioned. I am sure two hours spent with the responsible Fiscal Officers of the State would have been an enlightening period for the majority members of the Commission.

APPENDIX IX

MENACE OF MENTALLY DEFECTIVE DELINQUENT

State Shoud Supply Means of Restraint for This Incorrigible Type.

JOHN E. DONLEY, M. D..
(Former State Director of Public Welfare)

The mentally defective delinquent in Rhode Island requires consideration not because of his numbers, which are small, but by reason of his powers for harm, which are great. He is no new discovery, for he has been with us always, lost in the mass of the general population. With the advance of knowledge and techniques in the social sciences, he has become the object of scientific interest and study. He demands the attention of physicians who are concerned with him because they have to treat him; of lawyers because they have to defend or prosecute him; of pedagogues because he is a problem in their classrooms; of psychologists because he invites their tests; of policemen, because he challenges their authority; of parents because too often he breaks their hearts.

When one studies a sufficient number of mentally backward people, it is apparent that they fall naturally into three main groups. There are those with dull minds and good characters, those with dull minds and bad characters, and those whose minds are dull always but whose characters, like our own, are a mixture of ingredients good, bad and indifferent.

The dull people of predominantly good character are a most valuable social asset; they contribute the brawn which, under the direction of competent brains, has done an important part of the world's work. It is difficult to imagine how we could have dispensed with their humble and too frequently unappreciated services. They have helped to build the foundations of civilization.

Not Numerous in Rhode Island

From the ranks of those with dull minds and bad characters come the people whose exploits interest and shock the readers of newspapers. We call them defective delinquents and they con-

stitute a perpetual menace to the society in which they live, as our own recent experience so tragically proves. Fortunately, mental defectives of this vicious type are not numerous in Rhode Island; if they were we should have heard of them. But even if they are few, it is nevertheless important to appreciate that no community is safe in its lives or its property while even one mental defective of proven or potential criminal tendencies is allowed his uncontrolled freedom, because such freedom affords opportunities to commit arson, rape, burglary, robbery and homicide, not to mention a host of lesser infractions of the law.

The vicious kind of mental defective is usually incorrigible and therefore his liberty should be restricted so that he cannot carry into action the fantasies of his warped and stunted mind.

The material basis of his incorrigibility is the poor quality of his brain. Obviously then, it is utopian to expect such a brain to exercise powers and faculties it does not possess. It is even more utopian to believe that the possessor of such a brain can derive any socializing benefit from a sojourn in a penal or correctional institution.

And yet it is to such institutions that Rhode Island courts are now compelled to send defective delinquents who appear before them. A man accused of crime may be found not guilty by reason of insanity. He is then committed to a hospital for mental diseases and thus he is accorded the consideration which modern knowledge and justice demand. If, on the other hand, the court has to do with a mentally defective delinquent, such humane, enlightened and adequate treatment is impossible.

And why is this? Why do we treat defective brains with less than proper consideration?

It is because we, as a State, have thus far failed to supply the means of restraint for the mentally defective delinquent. In our treatment of this type of offender we are still hovering in the period of penology when children were hanged at Tyburn for the stealing of a few spoons. And if, in this matter, our sin is one of unwitting omission, then surely when we are awake to our feelings we shall take measures to correct them.

Duty of Schools to Find Feeble-Minded

How socially important are the relations between crime and mental defect, the studies of modern investigators have revealed. It has been found, for example, that from 25 to 50 percent of the inmates of our jails and other penal institutions are feeble-minded; more than 10 per cent are epileptic and mentally unstable; 20 per cent are psychopaths, that is to say, people who are not clearly insane but who cannot get along either with themselves or others. There is thus a remainder of 20 to 40 per cent of fairly normal inmates in these institutions.

Of 850 delinquents studied in Boston, 231 were found to be feeble-minded; 104 psychopathic; 58 insane; 31 epileptic and unbalanced. All but 148 of the remainder were defective to a greater or lesser degree. Less than 20 per cent could be considered normal persons. Similar studies from other sources indicate the close association of crime and mental defect; and the important truth emerges from these studies that over 90 per cent of adult criminals begin their careers as juvenile delinquents. Since this is true, it is clear that there rests with our schools the urgent duty of discovering and providing for these children, because it is from this group that many delinquents are afterwards recruited.

It is unusal to engage in ordinary conversation without hearing something about the moron, and this with good reason, because the moron, whose mental age is somewhere between eight and eleven years, is the most difficult problem among the feeble-minded. His outward-seeming appearance of normal mentality is often so good as to deceive even the elect. It is, of course, easy enough to recognize the lower grades of mental defect and to provide, as far as possible, for proper care.

But the higher grade defective, the moron, is by no means easy of recognition. Indeed he may present a most difficult and even, perhaps, insoluble problem in diagnosis. It sometimes happens that the moron's mental handicaps are not known even to his own family and not infrequently he surprises and startles his friends by peculiarities of temperament and conduct.

By the general public the moron is held to legal and moral responsibility, and yet he is capable of neither because the finer

structure of brain tissue is, in him, deficient in quality. In the group of morons are found many of those who commit the most revolting crimes.

The social dislocations which always accompany war are usually combined with an increase in delinquency, Accordingly we may expect to find defective delinquency more prevalent than in times of peace. This is another reason why we should prepare for the handling of the problems raised by the defective delinquent who when unsupervised may commit crimes which, in their aftermath, may well prove irreparable.

APPENDIX X

Endorsements of Proposed Correctional Authority Outlined in Chapter II of Supplementary Report

The following men, all of whom are leading authorities in the field of Penology, many of them experienced administrators, have endorsed the Proposed Correctional Authority outlined in Chapter II of the Supplementary Report. Each of them has read Chapter II before writing his endorsement.

Brief Biographical Sketches of the Writers of the Attached Letters

James V. Bennett

Mr. Bennett is at present Director of the Federal Bureau of Prisons. As such, he is chief administrator of the largest number of prisons and correctional institutions under one administration in the United States. Under his administration, the Federal Bureau of Prisons is recognized as a leader in progressive prison administration looking to rehabilitation and reform. Mr. Bennett is a graduate of Brown University.

Austin H. MacCormick

Mr. MacCormick is at present Executive Director of The Osborne Association, Incorporated, a national organization named after the late Thomas Mott Osborne, and organized to promote higher standards in the penal and correctional field. Mr. MacCormick was formerly Commissioner of Correction of New York City and Assistant Director of the Federal Bureau of Prisons.

Dr. William Draper Lewis

Dr. Lewis is the Director of the American Law Institute. This is an organization whose membership comprises leading judges of both Federal and State courts, many leading members of the American Bar, professors in American law schools, and laymen interested in the development of both civil and criminal law. The Institute had made outstanding contributions in the development of jurisprudence in the United States.

Dr. William Healy

Dr. Healy, for many years, has been head of the Judge Baker Guidance Center. This is one of the leading, if not the leading, clinics in the United States for the study and treatment of juvenile delinquents and young people of abnormal behavior. Dr. Healy is recognized, both in this country and abroad, as a leading authority in this field.

Edward R. Cass

Mr. Cass is General Secretary of The American Prison Association. This is the leading prison organizaiton in the United States, which comprises in its membership the wardens of all State prisons, the chief administrators of Federal prisons, and many leading penologists. The association has made outstanding contributions in the field of Penology.

R. Clyde White

Professor White is Professor of Social Service Administration at the University of Chicago. He has been called upon, both by the States of Illinois and Indiana, to make studies and reports in the institutional field. When Paul V. McNutt was Governor of the State of Indiana, Professor White acted as Technical Adviser to the Indiana State Committee on Governmental Economy, a committee which studied all of Indiana's State Institutions.

Sanford Bates

Mr. Bates was formerly Commissioner of Correction of the State of Massachusetts. Later, he was Director of the Federal Bureau of Prisons, and at present is a Commissioner of the New York State Board of Parole. He is also President of The American Parole Association.

John R. Ellingston

Mr. Ellingston is Technical Adviser to the American Law Institute. As such, he participated in the preparation of the Model Youth Correction Act, and played an important part in assisting the State of California in adopting the first Youth Correction Authority Act in the United States.

William J. Ellis

Mr. Ellis is Commissioner of the State Department of Institutions and Agencies of New Jersey. Under his administration, the State of New Jersey has developed one of the most progressive correctional systems for both adult and youth offenders in the United States.

Sheldon Glueck

Professor Glueck is Professor of Criminal Law and Criminology, Law School of Harvard University. Together with his wife, Eleanor Glueck, Professor Gluck has, in recent years, made exhaustive research into the subject of Recidivism. The books of Professor and Mrs. Glueck on this subject are outstanding contributions to the problem of preventing criminal careers.

DEPARTMENT OF JUSTICE
BUREAU OF PRISONS

JAMES V. BENNETT
Director
WASHINGTON

December 14, 1943

Mr. Clemens J. France, Director
Department of Social Welfare
40 Fountain Street
Providence, Rhode Island

My dear Mr. France:

As a native Rhode Islander I was naturally much interested in reading your report and recommendations with respect to problems of social welfare and correctional treatment, but I had not anticipated it would be one in which I could concur so thoroughly and wholeheartedly. It is, therefore, doubly pleasant to be able to write you that I think your suggestions and plans are sound and that they will, I believe, be practicable of application in Rhode Island.

Your correctional program appeals especially. When I first heard of the proposed State Security Council it seemed to me to be a straight-forward and realistic way of getting down to cases, not only with respect to juvenile delinquency and crime, but also to guide in the solution of the many critical social problems which will arise during the demobilization and readjustment period which will follow the war. In fact, it seemed to me to be so constructive in its concept and approach that I recently suggested to the committee of the United States Senate studying Juvenile Delinquency that they consider your plan as a pattern for adoption in other states having similar problems.

I have also consistently recommended, as you do, the indeterminate sentence, the Youth Correction Plan of the Law Institute, and the integration of all state correctional institutions and policies under a single directing head. These taken together with the other suggestions bearing on the work of your department would, if adopted, place Rhode Island in the vanguard of those states seeking realistically to meet the social problems we can now see on the peace-time horizon.

With every good wish and kind regards,

Sincerely,

James V. Bennett
Director

THE OSBORNE ASSOCIATION, INC.

COMBINING THE NATIONAL SOCIETY OF PENAL INFORMATION, INC. AND THE WELFARE LEAGUE ASSOCIATION, INC., BOTH FOUNDED BY THOMAS MOTT OSBORNE

114 EAST 30TH STREET ZONE 16, NEW YORK, N.Y.

CHARLES D. OSBORNE,
Chairman of the Board.
G. HOWLAND SHAW,
President.
THORSTEN SELLIN,
Treasurer.
AUSTIN H. MACCORMICK,
Executive Director.

December 11, 1943

Honorable Clemens J. France
Director of Social Welfare
40 Fountain Street
Providence, Rhode Island

Dear Dr. France:

I have read your proposed program for Rhode Island with the greatest interest and want to go on record as believing that the plan is a sound one, both in the general principles that are involved and in the detailed way in which you propose to apply them. I know how long and carefully you have studied the situation, how receptive you have been to the ideas of others whose experience seemed to you to qualify them to speak on the subject, and how persistently you have tried to work out a program which is sound and practical and not merely justifiable from the standpoint of ideal principles.

The soundness of the foundation on which you base your plan seems to me beyond question. I do not know of any ideas in the correctional field that have been worked over with such care and by so many people of ability and long experience as the ideas which

have been embodied in the Youth Correction Authority proposal and the other plans which are based on the same general principles. Rhode Island has always seemed to me an almost ideal state in which to apply these principles, and it seems to me you have used excellent judgement in planning the administrative setup and procedures which would work well in your state. If any details need to be changed later, that could be done but there is no question in my mind of the validity of the proposal as a whole. I believe I know enough about Rhode Island institutions to know that your proposals for utilizing them in more effective ways than at present are wise and workable.

Trusting that the people and officials of your state will have wisdom and vision enough to recognize the worth of your plan, I am,

Sincerely yours,

Austin H. MacCormick
Executive Director

AMERICAN LAW INSTITUTE

President
GEORGE WHARTON PEPPER
Vice-President
LEARNED HAND
Director
WILLIAM DRAPER LEWIS
3400 Chestnut St.
Philadelphia, Pa.

December 13, 1943

Dear Dr. France:

I have read with satisfaction the proposal for a rational and integrated correctional program for youth and adult offenders in Rhode Island contained in your Supplementary Report. Your adaptation of the Institute's Model Youth Correction Authority Act to meet local conditions seems to me particularly happy. The composition of the proposed Authority—a Superior Court judge, the Director of the Department of Social Welfare, and a Superintendent of Correctional Institutions (who, I take it, will serve as executive officer)—gives promise of enlisting the cooperation of the courts and the confidence of the public, and of insuring the effective use of existing resources, with a minimum increase in costs.

Naturally, the Institute views with approval your proposed extension of the principle of individual treatment to offenders of all ages, along the lines developed in the Federal Corrections Act, now before Congress. The demonstration of such a program by Rhode Island would be a service to the Nation.

I want to endorse especially your emphasis on personnel. Your plan provides the indipensable machinery. To make it work will require trained and understanding men, such as you propose to enlist.

I believe the principle and procedures for administering criminal justice that you have incorporated into an integrated program to be essential to the health of our democracy. May I, therefore,

offer you and Rhode Island any help the Institution can give in the adoption and administration of the program.

Sincerely yours,

Wm. Draper Lewis

Dr. Clemens J. France, Director
Department of Social Welfare
Providence, Rhode Island

JUDGE BAKER GUIDANCE CENTER
FOR CHILDHOOD AND YOUTH
38 Beacon St., Boston, Mass

Directors
GEORGE E. GARDNER, M. D.
FREDERICK ROSENHEIM, M. D.

Consulting Directors
WILLIAM HEALY, M. D.
AUGUSTA F. BRONNER, PH. D.

President
STEPHEN P. CABOT
Vice-President
MRS. ROBERT HOMANS
Treasurer
RICHARD SALTONSTALL.

November 30, 1943

Dear Mr. France:

Your masterful survey of the problems that the Department of Social Welfare of Rhode Island faces has been carefully read with enthusiasm by Dr. Bronner and myself. It impresses me personally by its statesman-like qualities and I say this because, with your wide perspectives, you take into account many well-considered thoughts of others and facts of accomplishment scattered elsewhere, while, above all, you show the possibilities of integrating humanitariamism and economic advantage in the democratic process of goverment of a State.

This report of yours is, to my mind, a remarkably fine document and lengthy though it is, I hope it will be carefully read and considered by the legislators. It ought in some way to be made available for reading by every intelligent person in your State.

Sincerely yours,

William Healy

RICHARD A. MCGEE, PRESIDENT
Olympia, Washington

E. R. CASS, GEN. SEC.
New York City

THE AMERICAN PRISON ASSOCIATION
135 East 15th St., New York City

SPONSORING THE 73RD ANNUAL CONGRESS OF CORRECTION

AFFILIATED BODIES
Warden's Association
Chaplain's Association
National Prisoners' Aid Association
National Conference of Juvenile Agencies
American Parole Association
National Probation Association
National Jail Association
Medical Correctional Association
Penal Industries Association

November 30, 1943

Hon. Clemens J. France
Director, Department of Social Welfare
Providence, Rhode Island

Dear Mr. France:

I consider it my good fortune to have had opportunity to read the Supplementary Report to the Governor's Commission on Public Welfare Institutions which you so kindly made available for me recently. Very soon after examining the pages, I was convinced of the soundness of the social thinking on which your report is based. I quickly became aware of an unwillingness to be satisfied with a piecemeal or patching program. I was reminded of the man who was not content to patch a leak here and there in the roof of his house when in his own heart he realized that the roof was worn out and should be rebuilt. Over a period of thirty years I have had the benefit of observing steps in the various States to improve the correctional systems. It was indeed very gratifying for me to have the opportunity to function for the Civil Service Commission in the State of Rhode Island to assist in the selection of qualified persons to fill important posts in the institutions.

Generally speaking, the tendency in the States is to deal with one phase of the problem instead of attempting a long range program of an over-all character. I have served on legislative commissions myself, particuarly in New York State, following the riots in 1930, and for years I've been a member of the State Commission of Correction, a Constitutional body. You will note from records that one year there is agitation about probation, then another year about crime prevention, and another about parole. Then there is scandal in one of the institutions and general public clamor that something be done; but seldom do we find an attempt to begin at the bottom and try to understand and treat in logical fashion the problem of crime and its treatment as a whole, such as you are attempting in your report. The result is that we have in America too frequently the hodgepodge kind of correctional programs and systems.

I make the above emphasis on piecemeal consideration and treatment because of its unsoundness and inadequacy, and further because it seldom gets us very far. In the instance of your report I am convinved that you want to do something more than patch a few leaks here and there. You are desirous of doing a well rounded and big job, and I believe that such an undertaking and demonstration will be of national benefit. Further I am convinced that a good place to start would be in a State the size of Rhode Island.

Sincerely yours,

E. R. Cass, General Secretary

THE UNIVERSITY OF CHICAGO
THE SCHOOL OF SOCIAL SERVICE ADMINISTRATION

Residence Address:
8208 Maple Avenue
Gary, Indiana

Mr. C. J. France, Director
State Department of Social Welfare
40 Fountain Street
Providence, R. I..

November 28, 1943

Dear Mr. France:

You have outlined a program and a plan of operation which, if enacted into law, should put Rhode Island out in front of all the states with social welfare programs. To adopt the program would be just practical commonsense. But let me comment upon a few specific matters.

The recommendations concerning a correctional program are soundly based upon your own valuable experience and the best experimentation in this country and abroad. The integration of all services involved in the identification and treatment of the offender against the law is, in my opinion, a clear necessity, if we are going to use our scientific knowledge for the protection of society against the abnormal person and for the rehabilitation of the normal offenders. In no other type of organization is it possible to bring to bear upon the criminal, the delinquent and the potential delinquent the skills and knowledge necessary for treatment.

A primary condition for integration of services under a single administrative head is the redefinition in law of the function of the court: namely, to determine guilt or innocence. Beyond that point the court should have no more to do with a probationer or a parolee than it does with the individual committed to prison. But, further, the court lacks the knowledge at the time sentence is usually passed to fix minimum termination. If the right to habeas corpus is assured the convicted offender and machinery is easily

available for him to use, no injustice will be done; indeed, justice will more assuredly be guaranteed those who run afoul of the law. The General Assembly may hesitate to deprive the courts of the sentencing function, lest the public protest the change, but if definite determinate or indeterminate sentences are retained for such crimes as first degree murder, rape and treason, the public would probably not protest very much a universal minimum of, say, one year for all other serious offenses. The actual time served in the institution and on parole would be a matter then for scientific determination; the punishment would fit the person rather than the crime.

The problem of sentencing is crucial in a state plan for treatment of the delinquent and criminals. I analyzed all the sentences of prisoners in the Indiana State Prison and the Indiana Reformatory in 1934 to convince myself of this fact; this study was later published in the **Social Service Review,** June 1937, pp. 234-46, and somewhat earlier in the **Report of the Indiana State Committee on Governmental Economy** in 1935. It was from the report of this Committee, which I wrote, that Paul McNutt took the material for his address which you have quoted. Some years later I had one of my students analyze the sentences in the Menard Institution in Illinois, and although Illinois has had a better indeterminate sentence law than Indiana, we found similar curiosities in sentencing practice. Your plan to set up the principles of the Borstal System is highly desirable, but it will not work effectively unless you can do something about sentencing. Likewise, I think you have to have a change in the sentencing law before probation and parole can be administered scientifically.

With kindest regards to you,

Sincerely yours,

R. Clyde White

Professor of Social Service Administration

AMERICAN PAROLE ASSOCIATION
AFFILIATED WITH THE AMERICAN PRISON ASSOCIATION

135 East 15th Street
New York City

Sanford Bates, President
80 Centre Street, New York City

December 14, 1943

Clemens J. France, Esq.
Director
Department of Social Welfare
Providence, Rhode Island

Dear Mr. France:

With the assistance of a mild attack of influenza, which caused me to stay home for a few days, I read your excellent supplementary report to the Governor's Commission on Public Welfare Institutions. I am in thorough sympathy with the views expressed and in general with the plan proposed.

One of the things that appeals to me most is your recognition that progress will be made more swiftly if our whole institutional and jurisdictional approach is along preventive rather than punitive lines. Too long have we all, and by that I mean institutional men, courts, district attorneys and police officials, felt the role of avengers in the past and only now are we beginning to realize that it is infinitely more important to plan constructively for the future.

The summary of your report makes a comprehensive statement of your blue-prints for the future social welfare program in Rhode Island and I congratulate you on its breadth of vision.

Very truly yours,

Sanford Bates

Commissioner
New York State Board of Parole

AMERICAN LAW INSTITUTE

President
GEORGE WHARTON PEPPER
Vice President
LEARNED HAND
Director
WILLIAM DRAPER LEWIS
2400 Chestnut St.,
Philadelphia, Pa.

December 13, 1943

Dr. Clemens J. France, Director
Department of Social Welfare
Providence, Rhode Island

Dear Mr. France:

I heartily approve the program for prevention and correction outlined in your Synopsis of Supplementary Report and its Recommendations. It is a practical proposal, based upon a clear understanding of all the conditions, social and psychological, that compel improvement in our administration of criminal justice.

It cannot but be helpful to have these conditions spelled out as you have done.

You will be interested to know that a close approximation of your plan for a State Security Council, as well as for an integrated correctional system, has been drafted by the Council of State Governments, and is now being translated into draft legislation for submission to the States. Rhode Island seems again to be at the head of the procession. Congratulations.

Sincerely yours,

John R. Ellingston

Special Adviser
Criminal Justice-Youth

STATE OF NEW JERSEY

DEPARTMENT OF INSTITUTIONS AND AGENCIES

TRENTON, NEW JERSEY

December 14, 1943

Mr. Clemens J. France, Director
Department of Social Welfare
40 Fountain Street
Providence, Rhode Island

Dear Mr. France:

I have read with very real interest your supplementary report to the Governor's Commission on Public Welfare Institutions, together with your appraisal of the problems as you see them and as they confront the public welfare agencies in Rhode Island.

It seems to me that you could not be accused of advocating anything bizarre or unattainable. The general policies which you advocate are consistent with those which have been established by law and followed by the State Board of Control in this State for the past twenty-five years and are distinctly realistic and attainable objectives.

I am glad you have placed emphasis on the importance of technically competent personnel rather than on putting too much reliance on "bricks and mortar." This indeed is the proper emphasis. Furthermore, the approach to the state-wide meeting of these problems through treatment and training, looking to cure and rehabilitation and looking to the reestablishment in the community, presents a fundamentally sound procedure.

I can see much to commend your suggestion for the establishment of a "State Security Council." The individual states should be the laboratories for proving the possibility of progressive and constructive social action. There has been altogether too much tendency for the federal agencies to take over and administer activities dealing with the lives of individual citizens. Through

such a program as your proposed State Security Council, you in Rhode Island can develop cooperative activity on the part of related state agencies and under responsible leadership. I have recently seen a report of the Committee on Crime Control of the Council of State Governments in which they made a recommendation very similar to the one which you have set forth in your report.

I am, naturally, very much interested in that phase of your report that deals with the program for establishing a juvenile court and a Youth Correction Authority as a means of meeting the needs of juvenile, youth and adult offenders.

Under our program here in New Jersey through the State Board of Control we have had an integrated plan with many of these relations well established for a long period of time and in addition, we have had a provision for pre-sentence study and classification which has given us many of the advantages of the proposed Youth Correction Authority.

I personally believe your plan is a forward-looking one and that you will find that it is particualrly well adapted to a state so closely knit geographically and otherwise as Rhode Island is.

I appreciate your having given me the opportunity to look over this material and trust that you will let me know how its presentation is received.

With every best personal wish, I am,

Cordially yours,

Department Institutions and Agencies

William J. Ellis, Commissioner

WJE:O

LAW SCHOOL OF HARVARD UNIVERSITY

CAMBRIDGE, MASS.

December 17, 1943

Mr. C. J. France
Director, Department of Social Welfare
40 Fountain Street
Providence, Rhode Island

Dear Mr. France:

You have taken some of the better building stones of criminology, psychology, psychiatry and education and skillfully combined them into a structure of great promise. The plan you present seems well organized and economical. It should bring a great deal of rationality into the treatment of the handicapped and particularly the delinquent and criminal classes. It is, in brief, a civilized system that you would have the brave little State of Rhode Island put into effect. May you succeed in your commendable enterprise.

Sincerely yours.

s) Sheldon Glueck

Professor of Criminal Law
and Criminology

SG:fbd

December 8, 1943

STATEMENT OF HARRY LOEB JACOBS,
MEMBER, STATE COMMISSION ON
PUBLIC WELFARE INSTITUTIONS
TO HIS EXCLLENCY,
J. HOWARD McGRATH, GOVERNOR
STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS

My dear Governor:

In view of the fact that I, as a member of this Commission, cannot wholly agree with the report of the majority members of the Commission, and the fact that I do not subscribe to all that is contained in the Supplementary Report submitted by Clemens J. France, member of the Commission, I present herewith a brief statement.

In presenting certain points where I cannot agree with the Majority Report, may I say that I have for all members of the Commission the highest respect. This Commission, as you know, has worked for over two years and devoted themselves to many long hours on this highly important subject.

As you are aware, for approximately six years I was a member of a State Commission known as the Penal and Charitable Commission of Rhode Island, of which I acted as chairman for two and a half years. During that period I came to realize that this whole problem which has to do with our various State Institutions is a highly complex one. For a proper solution of it, there is required the best expert opinion and advice which is available in the United States.

There are four major points wherein I find myself in disagreement with the majority members of the Commission:—

1. Institutional Business Management

There is a sharp difference of opinion between the majority members of the Commission and Mr. France on this highly important question of Institutional Business Management.

It appears that in the past several years, the Director of Social Welfare took several steps with a view to improving Business Management and Administration:—First, three farms were consolidated into a central farm in a division of the Department known as the Division of Institutional Farms. The evidence is clear that since the establishment of the centralized farm program there has been an increase in both the quantity and variety of food grown at Howard for the benefit of the patients. It is stated, and there is no evidence to the contrary, that this centralized farm program has increased farm products in the past several years by at least twenty per cent and the program is still expanding. The evidence also shows that where only three Institutions shared in these farm products, now seven Institutions share in these products. It appears that the value of the products grown represents in excess of thirty per cent of the total value of the food consumed at the various Institutions at Howard.

The majority members of the Commission seem to hold that the centralized farm program should be decentralized as it was some years ago with the special objective of placing what was known as the State Mental Hospital Farm under the jurisdiction of the Superintendent of that Hospital.

I cannot agree with the majority members of the Commission on this plan of decentralizing a farm program of this importance and value.

Second, within the past year the Director of Social Welfare, with the approval of the Governor, established a Division of Centralized Maintenance, Construction and Repair. This placed under one Supervising Construction Engineer all construction, maintenance and repair work at Howard. The majority members of the Commission are of the opinion that maintenance and repair work should be under the direct supervision of each Superintendent as it was in the past.

Anyone familiar with the situation at Howard knows that there are located there a large number of buildings of various types. Also there are streets, sidewalks, underground power and steam lines and a sewer system.

I am in agreement with the Supplementary Report that there should be centralized under one competent Construction and Maintenance Engineer all construction and repair problems at Howard. This seems to be common sense.

Third, it also appears that in the past year the Director of Social Welfare set up under a Division of Business Management a plan for centralizing all bookkeeping, accounting and control of expenditutes under a well qualified Business Manager. The majority members of the Commission hold that this important problem of accounting and fiscal control should be left in the hands of the respective Superintendents of the State Institutions.

I cannot agree with the majority members of the Commission on this point as I feel it is in the interest of efficiency and economy that there be one centralized system of accounting and fiscal control in an institutional program which expends annually approximately two million dollars.

In my opinion, there should also be centralized all stores in one division. When I was on the State Penal and Charitable Commission, we established such a Centralized Stores program. All consumable supplies were in one warehouse and were drawn upon from time to time by the respective Superintendents of the Institutions.

2. Boards of Trustees

The Majority Report recommends that there be established a Board of Trustees for each of the institutions which are owned and administered by the State. The Supplementary Report of Mr. France disagrees with this recommendation.

After very serious consideration I am of the opinion that the establishment of Boards of Trustees would not add to the efficiency of the Institutions. Such Boards of Trustees might well interfere with the highly specialized work of the respective Superintendents as well as the important functions of the Director of Social Welfare in having over-all supervision of the Institutions, especially with respect to major policies.

3. Dividing the Existing Department of Social Welfare Into Two Separate State Departments

The majority members of the Commission have recommended that the existing unified Department of Social Welfare be divided into two departments: a State Department which would comprise all State Institutions; the other a Department which would comprise all Welfare Services, so-called. The Supplementary Report of Mr. France is in disagreement with this recommendation.

This proposal to divide the Social Welfare Department into two Departments is in many respects the most far reaching proposal made in the Majority Report. After serious consideration I am impelled to disagree with the majority members and agree with the Supplementary Report on this highly important question.

The Supplementary Report of Mr. France, in my opinion, gives very sound and conclusive reasons why there should not be established a State Department comprising institutions which would be entirely separate from a State Department comprising welfare services, so-called. I do not propose to discuss this subject at any length. May I point out that very careful consideration was given to the reorganization of the administration of various functions of this State at the time when Theodore Francis Green was Governor and there was passed by the General Assembly what was known as the Reorganization Bill. Subsequently, under the regime of former Governor William H. Vanderbilt, very careful study was given to the organization of the State government. Unless, therefore, very sound reasons can be given for dividing the existing Department of Social Welfare into two Departments, in my opinion, the State organization should be left as it is.

May I say that the Majority Report does not, in my opinion, set forth any sound reasons for the establishing of another State Department. It is manifest that such a State Department would result in increased costs in administration.. **No increased costs in the administration of our State government should be incurred without exhaustive study based upon sound reasons.**

4. The Correctional Authority Proposed in the Supplementary Report

In the Supplementary Report, Mr. France has recommended the establishment in Rhode Island of what is known as a "Correctional Authority." This Authority would have over-all supervision and control of all young men between the ages of sixteen and twenty-four years convicted of a crime, and of all adults over the age of twenty-four. This Correctional Authority would also have supervision and control of all the correctional institutions, including the Prison, the Providence County Jail, the Reformatories for Men and Women and the Division of Probation and Parole.

As pointed out in the Supplementary Report, this recommendation for the establishment of a Correctional Authority is based upon a bill now pending in Congress for the establishment of a similar Authority under the Attorney General of the United States who has charge of all federal prisons and prisoners.

The Federal program has been endorsed by the Honorable Harland F. Stone, Chief Justice of the Supreme Court of the United States, by a special Committee of Senior Circuit Court Judges, by the Attorney General of the United States and by the Director of the Federal Bureau of Prisons. Also this program has been endorsed by a special resolution of the American Bar Association and by the American Law Institute, the two leading organizations in the United States representing members of the Bar.

In view of these outstanding endorsements, it is my opinion that the Correctional Authority, as proposed in the Supplementary Report, is deserving of serious consideration by the people of Rhode Island.

5. Study and Treatment of Cancer

I am intensely interested in the proposal for establishing an institution in Rhode Island for the special study and treatment of cancer as well as other chronic diseases.

There appears to be no disagreement between the Majority Report and the Supplementary Report on the importance of this subject. The Majority has recommended that the building now

used as the Reformatory for Men should be utilized as an institution for a Diagnostic Study Clinic with respect to chronic diseases. In the Supplementary Report, Mr. France disagrees with the recommendation to utilize for this purpose the existing Reformatory for Men. The disagreement, therefore, between the Majority Report and the Minority Report lies in where the Diagnostic Clinic for chronic diseases should be placed.

I feel that this matter is of such great importance, particularly the study and treatment of cancer, that I go along with the majority members with respect to utilizing the Reformatory for Men for this purpose.

Respectfully submitted,

Harry Loeb Jacobs

Library
National Institute of Health
Bethesda, Maryland

PRINTED B PRISON INDUSTRIES, HOWARD R. I.

BOUND BY
NM
JUN 17 1958

HV 86 R475s 1943

02730790R

NLM 05019513 5

NATIONAL LIBRARY OF MEDICINE